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**Collected Orations of Pope Pius II. Edited and translated by Michael von Cotta-Schönberg. Vol. 2: Orations 1-5 (1436-1445). 8th version**

Michael Cotta-Schönberg

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# Collected orations of Pope Pius II. Vol. 2

**Collected orations of Pope Pius II. Edited and translated by  
Michael von Cotta-Schönberg**

**Vol. 2: Orations 1-5 (1436-1445)**

**Preliminary edition, 8th version**

**2019**

## **Abstract**

Volume 2 of the *Collected Orations of Pope Pius II* contains four orations and one sermon held in the period from 1436 to 1443. The first three orations and the sermon are from his time at the Council of Basel and the fourth oration from his time at the Imperial Chancery of Emperor Friedrich III.

## **Keywords**

Enea Silvio Piccolomini; Aeneas Silvius Piccolomini; Aenas Sylvius Piccolomini; Pope Pius II; Papa Pio II; Renaissance orations; Renaissance oratory; Renaissance rhetorics; 1436-1443; 15<sup>th</sup> century; Church History; Council of Basel; Council of Basle; See of Freising; Freisinger Bistumsstreit

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## Foreword

In 2007, I undertook a project of publishing the Latin texts with English translations of the orations of Pope Pius II. Altogether 80<sup>1</sup> orations (including papal responses to ambassadorial addresses) are extant today, though more may still be held, unrecognized, in libraries and archives.

At a later stage the project was expanded to include ambassadors' orations to the pope, of which about 40 are presently known.

I do not, actually, plan to publish further versions of the present volume, but I do reserve the option in case I – during my future studies - come across other manuscripts containing interesting versions of the oration or if important new research data on the subject matter are published, making it appropriate to modify or expand the present text.

I shall much appreciate to be notified by readers who discover errors and problems in the text and translation or unrecognized quotations.

20 July 2019

MCS

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<sup>1</sup> 81 orations, if the "*Cum animadverto*" is counted is a Piccolomini-oration, see oration "*Quam laetus*", Appendix

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**(Orations of Pope Pius II; 1)**

**Oration “*Audivi*” of Enea Silvio Piccolomini (16 November 1436, Basel). Edited and translated by Michael von Cotta-Schönberg**

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## Abstract

On 16 November 1436, Enea Silvio Piccolomini delivered the oration *Audivi* to the fathers of the Council of Basel, concerning the venue for the Union Council between the Latin Church and the Greek Church. He argued for the City of Pavia in the territory of the Duke of Milan. The oration reflected the tensions between conciliarism and the Papacy, between the European countries, and between the Italian powers including the Papal State. Piccolomini used the occasion to demonstrate his rhetorical skills and humanist learning to the council fathers.

## Keywords

Enea Silvio Piccolomini; Aeneas Sylvius Piccolomini; Æneas Silvius Piccolomini; Pope Pius II; Pope Eugenius IV; Pope Eugene IV; Duke Filippo Maria Visconti; Milan; Venice; Genoa; Papacy; Papal State; Conciliarism; Council of Basel; Council of Basle; Pavia; Renaissance humanism; France; King Charles VII; Origin of the Turks; Milan; 1436; 15th century; Renaissance orations; Renaissance oratory; Renaissance rhetorics; Simon Charles; Milan

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# I. INTRODUCTION

## 1. Context<sup>1</sup>

The Council of Basel<sup>2</sup> opened in 1431. The presidency was soon assumed by the representative of the pope, Cardinal Giuliano Cesarini. Cesarini was torn between his loyalties towards the pope and the council, but as the council became more and more anti-papalist, he finally left it to join the pope.<sup>3</sup>

Very few participants had come to Basel for the opening of the council, and the pope soon tried to repeat the Pavia-Siena procedure<sup>4</sup> by dissolving it. However, the council fathers stood firm and gained the support of the emperor and the princes. In 1433, the pope was forced to recognize the council in the bull *Dudum sacrum*.<sup>5</sup>

The council was not structured on the basis of nations as the Council of Konstanz (1414-1418) had been. Still, the national groups had some formalized presence, and the main party at the council was a national group, the French, which eventually came to dominate it completely.<sup>6</sup> The two other parties were the papal party, which gradually left the council, and the undecided elements, including the Germans.

In his bull of appointment of the papal president of the Council, Martin V had listed five major aims: 1) to deal with the Hussite heresy; 2) to establish peace in Europe; 3) to reform the Church; 4) to reunite the Latin and the Greek churches, and 5) to preserve ecclesiastical independence of secular power.<sup>7</sup>

The Hussite problem was solved by the Hussite Compacts in early 1436. The war between Burgundy, France and England was more or less laid to rest at the Congress of Arras in 1435.<sup>8</sup> As for Church reform, some decrees were passed, e.g. against the concubinage of priests, but the efforts of the council in this area were mainly directed against the Papacy. In June 1435, the council passed a decree depriving the popes of a considerable part of their revenue in the form of annates, but without assigning other forms of revenue to them.

As for the reunion with the Greek Church, the council very much wanted the honour of accomplishing this reunion, and so did the pope. The first major issue and a fresh cause for conflict

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<sup>1</sup> Ady, pp. 57-59; Boulting, pp. 76-79; Mitchell, pp. 78-81; Paparelli, pp. 63-65; Pastor, I, 232-237; Reinhardt, pp. 63-65; Stolf, pp. 66-67; Voigt, I, pp. 110-121

<sup>2</sup> Cf. Companion; Helmrath: *Baseler*; Stieber

<sup>3</sup> Becker; Christianson

<sup>4</sup> The Council of Pavia-Siena (1423-1424) was dissolved by Pope Martin V after a short time

<sup>5</sup> Gill: *Eugenius*, p. 53

<sup>6</sup> Müller, p. 391: ... *the author who declared in 1945 that Basel was a French council meeting on German soil was completely correct at least in regard to its first decade*

<sup>7</sup> Stieber, p. 10

<sup>8</sup> Dickinson

between pope and council was the venue for a Union Council. The pope wanted to transfer the council from Basel to an Italian city so as to better be able to direct and control it. The council itself naturally disagreed, and on 9 September 1434 it passed a decree, *Sicut pia mater*, that the Union Council should take place in a suitable city in Italy, or in Buda, Vienna, or a city in Savoy. The Greeks wanted the council to take place in Italy since it was closer to them, and they also preferred it to take place under the effective presidency of the pope.

After the decree *Sicut pia mater*, the council continued to discuss the venue for the future Union Council with many speeches supporting different cities.

In October/November 1436, the council heard orations in support of various Italian cities,<sup>1</sup> including an – according to Piccolomini – inept oration by Isidoro da Rosate in support of the City of Pavia, in the territory of the Duke of Milan.

Piccolomini saw his chance and speedily prepared a much better speech, the oration “*Audivi*”, in support of the same city, which he delivered at a general session on 16 November 1436. Apparently, this was not the first time he had written orations on conciliar matters. In a letter to Piccolomini of 28 February 1436, i.e. nine months before the delivery of the “*Audivi*”, Francesco Filelfo mentioned two orations against the pope, which Piccolomini had sent to him,<sup>2</sup> warning Piccolomini not to be mistaken about the Duke of Milan’s real attitude towards the pope<sup>3</sup>:

*Tuas autem duas orationes in Eugenium pontificem maximum lectitavi quam accuratissime, quarum elegantiam probo equidem, sed argumentum ipsum non laudo. Vereor enim tibi fore detrimentosum, quod ut credam auctoritas facit grauissimi huius prudentissimique uiri Iohannis Fagnani, que Sene legatum gerit pro Philippo Marie, inclyto Mediolanensium duce;*

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<sup>1</sup> These interventions and debates were carefully reported by Juan de Segovia: *Historia*, Bk. IX: *Caput XVII. Oblaciones magnifice Venetorum, ducis Mediolani presertim, Florentinorum et Senensium, si apud eos concilium celebraretur (905-906); Caput XVIII. Multe requisiciones imperatoris Romanorum, ne de Basilea concilium mutaretur, oblacioque ciuitatis Auinionensis pinguior pluribus aliis (pp. 906-908); Caput XIX. Intencio papae circa electionem loci explicata per Francie oratores (pp. 908-909); Caput XX. Comparaciones odiosas esse monstrauit grauis contencio secuta ex laudacione locorum, attingens eciam ad publicandum crimina pape (pp. 909-912); Caput XXI. Auinionem non esse locum pro concilio ycumenico, quodque presencia pape sit necessaria, allegat presidens multipliciter (pp. 912-914); Caput XXII. Obligacio presidentis vt reformatio in Germania fieret, et conuencio synodalis cum capitaneo galearum tradito ecclesie vexillo (pp. 914-917)*

<sup>2</sup> Incidentally, we know from Piccolomini himself (cf. the very first words of the introduction to the Intermediate Version, “*Etsi numquam*”, of the “*Audivi*”), that the “*Audivi*” was the first oration he gave at the council. If he had written other orations before then, either they would not have been delivered, or they would have been written for and delivered by one of the council fathers

<sup>3</sup> It is not known if Piccolomini actually held these orations at the council. He may have, since in 1445 he told Pope Eugenius IV – in the oration “*Prius sanctissime praesul*” [7]: *While in Basel, I said, and wrote, and did much against you: I do not deny it*. At any rate the two orations are not extant today: maybe Piccolomini somehow lost them himself, or maybe he suppressed them either because of Filelfo’s criticism or because of his later papalist development and ecclesiastical career

*ait enim ignorare te principis sui mentem erga Eugenium pontificem. Itaque tibi posthac cauendum reor, ne quid scribas, quod ignores.*<sup>1</sup>

Later, in 1450, Piccolomini in his *De rebus Basiliae gestis Commentarius* wrote about the *Audiui*:

*Since we bore sorely the injury to the Duke whom we saw disdained because of this<sup>2</sup>, although we had little eloquence, we wished to make up for the negligence of the man and honor so great a Duke. Rising, therefore, in his place a few days<sup>3</sup> later, we delivered an oration in praise of Pavia and the Duke of Milan which was heard for two hours without any annoyance, without inflicting injury on anyone.*<sup>4</sup>

And still later, as Pope Pius II, he wrote about the oration in his *Commentarii*:

*At the time, there was some discussion of transferring the Council to a place where the Greeks would come for a conference. The choice fell between four cities willing to pay the expenses of the Greeks: Florence, Udine, Pavia and Avignon. Eloquent speeches in praise of these cities resounded through the great hall; only Pavia had no one to plead its cause, because Isidoro Rosati, whom the Duke Filippo Maria of Milan had sent for that purpose, had spoken so badly and stupidly that he had been told to hold his tongue. Aeneas was moved by the humiliation of this noble city and its Prince, and that very night he composed a speech. Next day he went into the Council, where Giuliano, the Papal Legate, used his influence to get him permission to speak. For two hours<sup>5</sup> he declaimed before a most attentive and admiring audience. Afterwards, everyone who had heard his speech had a copy made for himself.*<sup>6</sup>

One of Piccolomini's contemporary biographers, Giannantonio Campano, Bishop of Teramo, a protégé of Piccolomini after he became Pope, wrote about the oration, in his *Vita Pii II Pontificis Maximi*:

*In Basel ... he tried in vain to persuade the Fathers to transfer the Council to Pavia, since the Italians preferred Florence, the Germans Udine, and the French Avignon.*<sup>7</sup>

The oration is also mentioned by Bartolomeo Platina, another of Pius' contemporary biographers, who wrote as follows:

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<sup>1</sup> Epistolarium, ep. 19, p. 47

<sup>2</sup> I.e. by the inept speech of Isidoro da Rosate

<sup>3</sup> Actually 12 days later, see below

<sup>4</sup> Reject, p. 348

<sup>5</sup> Notary Bruneti said an hour and a half (*Concilium Basiliense: Die Protokolle*, p. 334)

<sup>6</sup> CO, 1, 8, 1 (Meserve, I, p. 30-33). Note that in 1450 he wrote: "a few days later", and ten years after: "the next day"

<sup>7</sup> Zimolo, p. 11: *Basileae ... concilium ut Papiam traduceretur frustra suavit, Italis Florentiam, Germanis Utinum, Gallis Avinionem praeferentibus.*

*He often spoke in the council, but one speech is considered to have been especially good and elegant, i.e. the speech concerning the choice of venue for the future council. In this speech, he showed that Pavia (once called Ticinum) should be preferred to Avignon, Udine, and Florence because of its conditions, convenience, and location, the magnificence of the private houses, the pleasant and mild climate, the ease of importing everything needed by a city, Duke Filippo's generosity, and the proximity of the river Ticino that provides for easy transportation of provisions. He gave this oration when he was commanded to speak in place of the man who had been sent by Filippo and who had been speaking confusedly and ineptly and who had no knowledge of the liberal arts.<sup>1</sup>*

Georg Voigt, Piccolomini's great 19<sup>th</sup> century – and not very sympathetic – biographer, said about the speech:

*Die Rede, die Enea nun vor dem Concil hielt, ist uns als das erste von ihm ausgehende Zeugnis seiner Fähigkeit und Gewandtheit wichtig.<sup>2</sup> And later: Wer sich an alle Parteien wendet, wird seiner Sache keinem Freund, aber auch seiner Person keinen Feind erwerben. An der Wahl von Pavia lag dem Redner weniger als an der Gunst des Herzogs, für den er sich aus freien Stücken verwendet, und an der hohen Meinung, die nach einer glänzenden und jedem schmeichelnden Rede alle Väter von ihm fassten.<sup>3</sup>*

In his biography of Piccolomini from 1908, William Boulting wrote about the speech that Piccolomini's

*cause, indeed, was hopeless. The French would never consent to give up; the Venetians and Florentines, who belonged to the Papal party were foes of the Duke, and were still less likely to do so ... But it was a great opportunity. He was to appear before the assembled representatives of Europe, and could make his force felt by the most important audience conceivable.<sup>4</sup>*

Cecilia Ady, in her biography of 1913, comments that the speech was

*chiefly remarkable for the zeal with which Æneas set himself to gratify every shade of opinion in turn; but the careful attention to style at once proclaims the author as a disciple of*

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<sup>1</sup> Platina: *Vita*, p. 98: *In conventu persaepe oravit, sed illa eius oratio egregia et elegans est habita, quam in eligenda concilii sede Avenioni, Utini et Florentiae Papiam, quae olim Ticinum dicebatur, anteferendam ostendit rerum opportunitate, situ loci, aedium privatarum magnificentia, celi benignitate et clementia, commoditate rerum omnium que urbi possunt importari, liberalitate Philippi ducis, vicinitate fluminis Ticinij quo facillime commeatu subvehuntur. Nec abnuerim eam orationem **ex tempore** habitam, cum eius vices subire sit iussus, qui a Philippo missus ignoratione bonarum litterarum perturbate et inepte omnia dicere videbatur.* As Pius said himself, confirmed by Bruneti, the oration was not given *ex tempore*

<sup>2</sup> Voigt, I, p. 117

<sup>3</sup> Voigt, I, p. 119

<sup>4</sup> Boulting, p. 78

*humanism, and the rounded periods of his rhetoric came as a pleasant change from the less polished utterances to which the fathers were wont to listen.*<sup>1</sup>

And Gioacchino Paparelli:

*Quando il dotto latino modellato alla scuola del Filelfo uscì dalle sue labbra, un moto di sorpresa si propagò per la sala. Da tempo non s'ascoltava là dentro qualcosa di simile. Bisogna considerare che un concilio non era solo uno scontro d'interessi politici o di dottrine teologiche, ma anche un agone d'oratoria, una palestra di stile: un umanista vi stava a su agio. Per due ore Enea Silvio parlò. Fu un completo successo. Congratulazioni ed applause da ogni lato. I padri gli si strinsero intorno: tutti volevano una copia dell'orazione.*<sup>2</sup>

Johannes Helmrath lists the oration as the earliest surviving oration of Piccolomini and points out that here Piccolomini actually outlined his own life-long program of war against the Turks whose mighty empire could only be fought by a united Europe (Christianity).<sup>3</sup>

In the end it was all for nothing: even Piccolomini's great rhetorical skills could not persuade the fathers to move to Italy, but he had demonstrated his abilities to the council and soon came to be appreciated as an intelligent and dependable lay official whose gifts for analysis, speaking, and writing were highly esteemed.

Discussions of the venue for the council continued in 1436 and 1437. When the matter came to a vote in a General Congregation on 7 December 1436, Piccolomini voted for Pavia, Parma, Udine (with reservations), and Savoy: *Eneas de Senis Papiam vel Parmam, Utinum cum condicionibus et Sabaudiam*.<sup>4</sup>

Finally, in May 1437, the French-dominated majority at the council decided that it should take place in Avignon. This caused the papal party to leave, a severe loss of prestige for the council, and the beginning of its gradual decline. Later, in 1438, it deposed the pope, and in 1439 it managed to elect an anti-pope, the Duke of Savoy, under the name of Felix V, and it lingered on, condemned by the pope in Rome and unrecognized by most European powers, until it finally dissolved itself in 1449.

The battle of the venue for the council was won by the pope who succeeded in organizing a "papal" Union Council. It opened in Ferrara in 1438 and was later transferred to Florence. Among its participants were the Greek Emperor and the Patriarch of Constantinople. A reunion of the Latin and Greek Churches was actually achieved and, although short-lived, it lent great prestige to the Papacy and was a determining factor in its remarkable reconsolidation during the Renaissance.

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<sup>1</sup> Ady, p. 58

<sup>2</sup> Paparelli, p. 64

<sup>3</sup> Helmrath: *Pius*, p. 89

<sup>4</sup> *Concilium Basiliense: Protokolle*, p. 357. Voigt's claim that Piccolomini voted otherwise appears to be unwarranted, Voigt, I, 8, p. 146; Haller, I, p. 13

## 2. Themes

The major theme of the speech is, of course, the venue for the future council. However, other other themes are developed or interwoven in the text, e.g. the conflict between conciliarism and the Papacy, and the burgeoning of humanism in the great debates of Europe.

### 2.1 Venue of the future Union Council

As we have seen, the council itself had already, in the decree *Sicut pia mater* of 1434, pointed to a number of cities, but the matter was still under free discussion, and the council had, during the previous days, heard arguments in favour of various Italian cities.

The implications of the choice of venue for the council were clear to all: an Italian city meant greater papal influence on the council, whereas a German or French city meant greater conciliarist influence and greater influence for the transalpine princes, among them the King of France.

Evidently, for the conciliarists the most important issue was keeping the pope away from the council, so they did not really want the pope to be present. As the Bishop of Albenga, in Milanese territory, put it: *It was not expedient that the Pope should be personally present in the Council, where he would have pre-eminence and authority.*<sup>1</sup>

Apart from being – at the time – a conciliarist, Piccolomini was inveterately pro-Italian and just as inveterately anti-French. The Germans he considered as barbarians. So, he naturally wanted the Union Council to take place in Italy. On the other hand, since he was at the time on the anti-papal side, he did not want the council to go to a city in the papal domains.

An Italian city in the territory of the pope's great enemy, the Duke of Milan, was therefore – to Piccolomini – a perfectly logical choice, though he well knew that it was also perfectly impossible.

The pope, of course, would not dream of having the council in the territory of his enemy, the Duke of Milan,<sup>2</sup> who for years had been sending his condottieri against the Papal State<sup>3</sup> and had even plotted against his person the previous year.<sup>4</sup> Everybody knew that the formal peace of 10 August 1435, between Florence, Venice and the pope on the one side and Milan on the other was tenuous,<sup>5</sup> and that the duke would most likely resume his depredations against the Papal State later, as he did in fact in 1438.<sup>6</sup>

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<sup>1</sup> Quoted after Gill: *Eugenius*, p. 89

<sup>2</sup> Gill: *Eugenius*, p. 36, 46, 55

<sup>3</sup> Reject, p. 344

<sup>4</sup> Gill: *Eugenius*, p. 82

<sup>5</sup> Gill: *Eugenius*, p. 82

<sup>6</sup> Gill: *Eugenius*, pp. 108-109

Piccolomini was quite aware of this. A short time before his speech, he wrote to the Senate of Siena:

*The Pope and all the Italians are in favour of an Italian city, but all the rest – enemies of the Latin name – refuse to come to Italy. I do not know whether it will be possible to transfer the Council to Italy, but I hope that our prudence and perseverance may triumph, and that Italy may eventually have the Council.*<sup>1</sup>

Moreover, even if the council members would accept an Italian city, they would be careful about choosing a city belonging to the Duke of Milan. The duke was obviously a friend of the council, but he was known as a devious and conniving prince and *feared alike by his friends at Basel and his enemies of the papal party*.<sup>2</sup> Nobody would be unaware that his support aimed at creating a counterbalance to the pope. When the duke no longer needed the council, he might very well turn against it. And this was exactly what happened when the duke and his ally, King Alfonso of Naples, became reconciled with the pope in 1442-1443 and immediately afterwards declared themselves enemies of the council.<sup>3</sup> So, the council fathers would have reasonable cause for concern about choosing a place that would make them even more dependent on the Duke of Milan.

And finally, although the French king was diplomatic in his relationship with the pope, whose support for the French candidate for the crown of the Kingdom of Naples he needed,<sup>4</sup> the French party at the council evidently wanted a city in the French sphere, e.g. Avignon<sup>5</sup> – with the ulterior motive of attempting to draw the Papacy back to that city and consequently under French domination. In the summer of 1436, the French party did in fact propose three French cities for the Council: Vienne, Lyon and Avignon.

But the big question is: if Piccolomini wanted to move the council to Italy, why did he argue in favour of Pavia, a city in Milanese territory that would be completely unacceptable to pope in view of the persistent enmity between the pope and the Duke of Milan?

A number of letters from Piccolomini to the magistrates in Siena<sup>6</sup> provide documentation of Piccolomini's real aims with the speech.

In a letter of 9 April 1436<sup>7</sup>, Piccolomini informed the Sieneese magistrates that the Greeks did not want the Union Council to be held in Basel, but preferred an Italian city, and he proposed that the

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<sup>1</sup> WO, I/1, 2 (ep. 20): *Papa et Italici omnes Italiam petunt, reliqui omnes, Latini nominis inimici, venturos se in Italiam negant, nec scio, an erit possibile concilium ad Italiam transmutari, sed spero nostrorum prudentiam pertinaciam istorum superaturam et demum Italiam habituram concilium*. English translation quoted after Ady, p. 57

<sup>2</sup> Boulting, p. 78; Ady, p. 58

<sup>3</sup> Stieber, p. 62

<sup>4</sup> Gill: *Eugenius*, p. 87

<sup>5</sup> Boulting, p. 78

<sup>6</sup> Baldi, p. 21

<sup>7</sup> Epistolarium, letter 20

magistrates make a bid to host the council in Siena which was in the domains of neither the Duke of Milan nor the pope.

In a letter of 6 August 1436<sup>1</sup>, he reported the positive reception at the council of a speech made by the Siennese envoy, Cione di Battista Orlandi. However, the Siennese offer of 30.000 ducats to provide for the needs of the council fell far short of the offers of other Italian cities, especially Florence and Venice. He therefore urged the magistrates to raise the offer.

On 24 October 1436, he again wrote to the magistrates.<sup>2</sup> The day before, a messenger had arrived from Siena with a secret letter from the city to the President of the Council, Cardinal Cesarini. Cesarini told Piccolomini that the new offer of the city fell far short of the needs of the council, which was a shame because if the city would make an offer of 70.000 ducats, there were good reasons for the choice to fall on Siena. So, once again Piccolomini exhorted the city fathers to raise their offer, to this amount.

And finally, on 11 December 1436,<sup>3</sup> he wrote to Siena that the majority of the Council was now favouring Avignon and that Florence had raised their offer to 120.000 ducats. He did not again exhort the magistrates to raise their own offer – the play for Siena was over.

From these letters it is clear that the real aim of Piccolomini in November 1436 was not to move the Council to Pavia – that was plainly impossible – but to generally support an Italian venue for the Council and to indirectly prepare the grounds for Siena as a compromise solution.

Apart from that, Piccolomini's line of reasoning in favour of Pavia is clear, logical and sensible. It rests on three main arguments:

- Pavia is acceptable to the Greeks
- Pavia is convenient for the pope
- Pavia can provide board and lodging

All reasonably and credibly argued.

The fourth argument, that Pavia offers security and freedom for all parties including the pope, is the one that would defy belief.

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<sup>1</sup> Epistolarium, letter 21

<sup>2</sup> Epistolarium, letter 22

<sup>3</sup> Epistolarium, letter 23

## 2.2. Conciliarism vs. Papacy

The conflict between council and pope is rather clearly, but politely stated in Piccolomini's speech which is the first extant public declaration of his own adherence to the conciliarist position. He would later abandon it and join the papal party for which he would incur the censure of later historians, especially Georg Voigt. This is quite surprising in view of the fact that many other luminaries of the age, including Cardinal Nicholas of Cusa, did exactly the same with no blemish on their reputation.

Even at this time, Piccolomini is quite respectful of the pope. He explicitly states that the pope is

*the true successor of Peter and the Vicar of Christ. He is our head, which should never be separated from us, for a body cannot be complete without its head. He is the bridegroom of the Church; he is the captain of the ship; he is - as people say - God on earth. Through Peter and Peter's successors, Christ our Saviour, has given him the keys to the Kingdom of Heaven, though I do not deny that they have also been given to the Church as a whole. To him has been given so great an authority, so great a power, so great a knowledge of the divine mysteries that he is to be revered above all. Indeed, the papal dignity is so venerable that we must honour and revere the pope – even an evil one. So, whatever lust he may have indulged in, or whatever crime he may have committed, he must not be held in contempt until the Church has passed judgment. [Sect. 33]*

And concerning Pope Eugenius himself, Piccolomini mentions *his holy life ... his piety, his clemency, his fairness, his sense of justice, and his goodness. [Sect. 34]*<sup>1</sup>

However, entwined in the statements of respect are the defiant tenets of conciliarism:

Firstly, the Church is a body, i.e. a corporation. Granted, the pope is the head, but just as the body cannot function without the head, the head cannot function without the body. The head and the body form an undivisible whole.

Secondly, the keys to the Kingdom of Heaven have not only been given to the pope as the successor of the Apostle Peter, but to the Church as a whole, represented by the council.

And thirdly, though even an evil pope must be respected, he can be judged by the Church, i.e. a council, as happened at the Council of Konstanz. This is in direct opposition to the medieval, papalist maxim that nobody may judge the pope.<sup>2</sup>

So, at this juncture Piccolomini clearly supported conciliarism.

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<sup>1</sup> This reflects the general conception of the pope's personality and private life, held even in Basel, cf. Gill, p. 197

<sup>2</sup> "Papa a nemine judicetur"

His moderate or conciliatory words about the pope, in a period where he generally spoke against him, were probably occasioned by a controversy which broke out some days before at the council, when Isidoro de Rosate – in his oration on 3 November for a city in the Duchy of Milan – had spoken disparagingly about the pope, causing considerable indignation among the papalist and even the French council fathers. In a meeting on 5 November, the Bishop of Albenga in Milanese territory, Matteo di Carretto, came to the aid of Isidoro. Bruneti related the episode:

*Dominus Albinganensis narravit, quod ad ipsius noticiam pervenerat, quod nonnulli patres de concilio male contentabantur de nonnullis in quodam quaterno per dominum Ysidorum pridie lecto pro commoditatibus patrie subiecte domino duci Mediolani, et presertim in eo quod tetigerat personam sanctissimi domini nostri pape etc. colorando factum suum. Exposuit inter cetera, quod dominus noster adversabatur sacro concilio, qui non tenebat decreta etc. ... Quia dominus Albinganensis in multis notaverat dominum nostrum, pro excusacione dicti domini nostri pape et ut omnes obloquiciones cessarent et haberetur bona concordia inter sacrum concilium et eundem dominum nostrum, surrexerunt in medium ambassiatores domini nostri regis<sup>1</sup> et per organum magistri Guillermi Charterii<sup>2</sup> narraverunt multa, que dixerunt habere in mandatis a domino rege, et specialiter quod eligeretur locus, in quo commode dominus noster posset interesse, ubi omnes divisiones terminarentur; petentes plenius audiri in generali congregacione, in qua specificè intendunt respondere ad proposita per dominum Albinganensem. Dominus Lugdunensis proposuit ad idem. Similiter dominus episcopus Burgensis, requirens quod de cetero tales obloquentes de sanctissimo domino nostro papa in generali congregacione minime audirentur, sed ad partem per deputaciones, antequam in generali congregacione etc. Dominus cardinalis S. Petri hocidem requisivit.<sup>3 4</sup>*

Thus, Piccolomini was forewarned, even by his own employer, Cardinal Cervantes (the Cardinal of San Pietro), to speak agreeably about the pope, which he then did.<sup>5</sup>

### 2.3. Humanist learning and rhetorics<sup>6</sup>

The terms “humanist” or “Renaissance” had not yet been invented, but to the council fathers it would have been evident that the speech they were hearing was in that new rhetorical style from Italy: fresh, direct, elegant ... and classical.<sup>7</sup>

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<sup>1</sup> The King of France

<sup>2</sup> Guillaume Chartier, later Bishop of Paris

<sup>3</sup> *Concilium Basiliense. Protokolle*, p. 322

<sup>4</sup> Cf. Juan de Segovia’s extensive report on the same episode in his *Historia*, bk. X, cap. XX, pp. 910-912

<sup>5</sup> Cf. sect. 33-34

<sup>6</sup> See also the section on Piccolomini’s rhetorics in: *Collected orations of Pope Pius II*, ch. 7

<sup>7</sup> Voigt, I, p. 117; Boulting, p. 79

Piccolomini knew quite well what he was doing. In the beginning of the speech he directly refers to the persuasive skills of Demosthenes in the Athenian Senate and to the fact that many in the conciliar assembly detested rhetorics. But then he neatly extricates himself from possible embarrassment by referring to Cicero, that revered and towering figure of antiquity.<sup>1</sup>

The fathers would have been reassured by some conventional references to God and the Scriptures and by the direct, traditional invocation of God at the end of the *exordium*. But they would have noticed, too, that all the direct quotations in the speech were from classical authors, mostly from the major works of Cicero, but also from some authors who might not be quite proper in the context, like Juvenal and Terence.

The use of general maxims or statements on morals, geography, and politics drawn from Cicero and other classical authors would be safe. But to the modern mind it is somewhat surprising that a speaker at the Council of Basel would be free to refer to the pagan Gods (*Astrea withdrew to the Gods above*, Juvenal<sup>2</sup>), even if the reference was poetical. And applying pagan attributes to the God of the Christians like Terence's *The one who shakes the lofty vaults of heaven with his thunder!*<sup>3</sup> would seem to be risky. However, Piccolomini did it throughout his career and even as a pope when he wrote the liturgical office of Catherine of Siena whom he canonized.

And this is the true hallmark of Piccolomini as a humanist: the going back to classical authors as real, living "authorities", and not just by way of embellishments or cultured references to a noble past - though that purpose was served as well.

The classical rhetorical models for Piccolomini were Cicero and Quintilian. Piccolomini refers directly to Cicero's rhetorics in his speech, and from his later writings it is evident that he knew the work of Quintilian.

As for contemporary humanist authors, it seems probable that Piccolomini used materials on the origins of the Turks which he had from one of his teachers in Siena, Andrea Biglia, the Milanese humanist, cf. below. He also has two direct quotations from Leonardo Bruni's *De Militia*<sup>4</sup>, and two other quotations from Guarino Veronese's translation of Plutarch's *De Liberis educandis*.<sup>5</sup> Both the Plutarch translation and the *De Militia* he very probably had access to in the collection of one of the council fathers, Archbishop Pizzolpasso of Milan,<sup>6</sup> who became friend and mentor to Piccolomini, helped him to obtain a prebend in Milan, and asked him to give a sermon on the feastday of Saint Ambrose.<sup>7</sup> Piccolomini may actually have met both Bruni and Guarino when, as a student, he visited Firenze and Ferrara. In a letter from 1434, two years before he gave the oration "*Audivi*", he

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<sup>1</sup> Sect. 6

<sup>2</sup> Sect. 49

<sup>3</sup> Sect. 7

<sup>4</sup> Sect. 4, 55

<sup>5</sup> Sect. 80. Cf. Iaria, p. 2

<sup>6</sup> Iaria, p. 5, 23

<sup>7</sup> Oration "*Si quis me roget*" [2]

mentions them, together with Ambrogio Traversari, as contemporary luminaries of scholarship,<sup>1</sup> and he pays tribute to both of them in later writings.<sup>2</sup> Keeping in touch with the humanist environment in Italy was not easy for someone living north of the Alps, but these early quotations show that this mattered to Piccolomini.

In the oration, Piccolomini used the occasion to exercise his rhetorical skills and humanist competencies.

By this time in his life, Piccolomini was itching to make an impact on public affairs and to do so in the way for which he was eminently suited: as an orator with great persuasive skills and able to draw on an extensive knowledge of major works of classical Latin literature.

In the “*Audivi*” he was, so to speak, unfolding his oratorical wings and beginning his career as one of Renaissance Europe’s greatest speakers<sup>3</sup>.

Voigt had this to say about the oration:

*So sollten sie<sup>4</sup> denn fühlen lernen, was der Schüler der Alten vermöge. Wie leicht und flüssig rollt die Rede dahin, wie so klar und rund sind ihre Perioden, wie wohlgeordnet und eingetheilt die Gedanken und Argumente, wie lebhaft und eindringlich die Wendungen, wie zierlich die Bescheidenheitsfloskeln, wie wortreich und begeistert die ausgeschütteten Lobeserhebungen! Und doch, die rechten Licht- und Glanzpunkte gab der polirten und eleganten Rede erst die Fülle der classischen Citationen aus Virgilius und Sallustius, aus Ennius und Cicero, aus Livius und Juvenalis, ja irgend ein glücklich aufgegriffener Vers aus dem Homeros oder Euripides, alle verschwenderisch und bunt durcheinander gemischt. Solche Sprüche und Beispiele glänzten, wie am goldenen Geschmeide der Besatz von Edelsteinen, oder wie im silbern-strömenden Bächlein hineingeworfene Blumen. Der Hörer wurde von Wort zu Wort, von Satz zu Satz, von einer Schönheit zu andern mit fortgetragen, er wusste vor Entzücken kaum, wie ihm geschah.<sup>5</sup>*

No doubt he had his convictions and spoke passionately for things he believed in, but he was also quite able to shape his arguments and his rhetorics to suit the particular situation and the interest he had chosen or been chosen to defend.

Even though he may have been impressed by the Duke of Milan, he could not himself have believed in the splendid image of the prince which he held up to the council fathers. He did not truly believe

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<sup>1</sup> WO, I/1, 28-29 (ep. 16)

<sup>2</sup> I.e. in the section on Leonardo Bruni in his *De Viris Illustribus*, where he even directly mentions Guarino’s translation of Plutarch’s work, *De alendis liberis*, p. 35, cf. Iaria, p. 5, and in his *Commentarii*. NB: Iaria notes that a codex with the *De re militari* only came into the archbishop’s possession in 1439, so Piccolomini may have known it from another source

<sup>3</sup> Boulting, p. 79

<sup>4</sup> I.e. the council fathers

<sup>5</sup> Voigt, I, p. 225

in fanciful classical genealogies,<sup>1</sup> but nonetheless he exploited the one of the House of Visconti to try to convince the Fathers that the Turk would prefer to let the Greeks go to the duke's territory. And against better knowledge – we must believe – he downplayed to an absurd degree the enmity between the pope and the duke.

However, all these efforts were rhetorical ploys to persuade the fathers to make the choice he passionately believed in: to move the council to a city in Italy.

And he did it in the new humanist way: by drawing on classical literature as an authority and an embellishment of his argumentation.

It is quite remarkable that his speech to the council fathers contained at least 30 quotations from classical authors and only from the Bible and one from the Church Fathers.

## 2.4. Career promotion

Delivering the oration was also a means to promote his career, both vis-a-vis the Duke of Milan and the council.

### 2.4.1. Duke of Milan<sup>2</sup>

Princes of the Renaissance were keen to enhance their reputation by having humanists extol their praises and act as propagandists in their cause. By his speech, “*Audivi*”, Piccolomini gave effective proof that he was quite capable and willing to act in this respect for the Duke of Milan.

The message was heard, the panegyrics of the prince were appreciated, and the reward was not slow in coming: shortly afterwards Piccolomini was granted the provostship of San Lorenzo in Milan<sup>3</sup> and managed to get effective possession of the office in spite of the chapter of the church already having elected its own candidate.

Piccolomini's view of the duke as expressed in the “*Audivi*” may or may not have been sincere, but undoubtedly it is in stark contrast with his later views.<sup>4</sup> There are two possible explanations: either Piccolomini was, in 1436, really an enthusiastic admirer of the great Duke of Milan, or he concealed

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<sup>1</sup> Note Mansi's comment: *Est vero oratio inter Pianas longe gravissima et eloquentissima, quamquam ab aetatis illius vitio, haud omnino immunis, cum quaedam habeat intermixta dubiae fidei, ne dixerim fabulosa, ut illud de Vicecomitum origine, quam commune habere illos cum Turcis affirmat.* Pius II: *Orationes*, I, p. 3 This theory is indeed fanciful, but, as we shall see, Piccolomini quite possibly had it from the learned humanist scholar, Andrea Biglia, whose lectures he had attended in Siena

<sup>2</sup> Boulting, pp. 78-79

<sup>3</sup> CO, I, 8, 3-4 (Meserve, I, p. 33-35); Ady, pp. 58-59

<sup>4</sup> Boulting, p. 79

his negative opinion of him with a view to promoting the general cause of the council and to gain the prince's favour. Those who focus on Piccolomini's opportunism prefer the latter explanation. Others who see him as a young, impoverished person trying to gain a foothold in the world and given to youthful enthusiasms may prefer the former. The truth may be somewhere in the middle ...

#### 2.4.2. Council

Piccolomini also wished to promote his career by making a positive impression on the Fathers through a skillful and well-crafted speech in the new humanist style.

In this, too, Piccolomini succeeded.<sup>1</sup> As he himself wrote in the *Commentarii*:

*For two hours he declaimed before a most attentive and admiring audience. Afterwards, everyone who heard his speech had a copy made for himself. From that time on, Aeneas grew more popular in the Council and in the favor of the Duke of Milan. Although his official title was merely psalmist, he acted as secretary and abbreviator and often sat on the Committee of Twelve. This post ... was extremely influential ...*<sup>2</sup>

#### 2.5. Origins of the Turks

The conception of the Turks as descendants of the Trojans goes back to the Middle Ages, in particular to a genealogy of the Frankish Kings in the *Chronicles of Fredegar* from the 7<sup>th</sup> century and to a note in the *Gesta Francorum* from the 12<sup>th</sup> century.<sup>3</sup>

It was picked up in a text from 1345 purporting to be a letter from Umur Pasha (Morbisanus) to Pope Clemens VI as a reaction to a crusaders' attack on Izmir. The letter was written in Italian and later translated into Latin and other languages. Over time, it was readressed to various popes, also to Pius II, and it was often published together with that pope's letter to Mehmed II as the sultan's reply to the pope.<sup>4</sup> The letter implies that the Turks are descended from the Trojans, and the Pasha vows to avenge the fall of Troy by attacking the Greeks who had conquered Troy.

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<sup>1</sup> Baldi, p. 20

<sup>2</sup> CO, I, 8, 2 (Meserve, I, p. 32-33)

<sup>3</sup> Meserve: *Empires*, p. 23; Meserve: *Medieval*; Meserve: *Italian*, pp. 25-31

<sup>4</sup> Meserve: *Empires*, pp. 35-37

The notion of the Turks descending from the Trojans was probably known to Coluccio Salutati, who was the first to apply the name Teucri (used by Virgil for the Trojans) to the Turks.<sup>1</sup> However, he did not himself state explicitly that the Turks were the Trojans' descendants.<sup>2</sup>

However, that idea – based on the false etymological approximation of Teucri/Troiani (Trojans) and Turci/Turcae (Turks) - spread to the Renaissance humanists who debated the issue hotly. It did not take long before the idea was rejected, and other forefathers of the Turks were considered to be more likely, e.g. the ancient Scythians, though that theory, too, was incorrect. The Trojan origins of the Turks nonetheless resurfaced from time to time<sup>3</sup>, e.g. in the poem *Amyris* by Giovanni Mario Filelfo, the son of Francesco.<sup>4</sup>

One of the most influential debaters of the origins of the Turks was our Piccolomini, who quite emphatically rejected the idea of the Turks' descent from the Trojans and propagated the theory of their descent from the Schythians instead.<sup>5</sup> According to Meserve, Piccolomini was “*the most important – certainly the most frequent – critic of the idea*” of the Trojans as forefathers of the Turks.<sup>6</sup> And Schwoebel writes that “*Pius had no time for the theories about the Turks avenging their ancestors or occupying a rightful inheritance*”.<sup>7</sup> Hankins even states that the theme recurred so often in Pius' writings that it amounted to an obsession.<sup>8</sup> Piccolomini's reasoning was based on his reading of classical authors which certainly did not support the Trojan thesis, but otherwise his theory of their descent from the Scythians was to a great extent motivated by his desire, shared by humanists in general, to assign a barbaric and primitive origin to that great enemy of Europe and of Christianity, the Turks.<sup>9</sup>

In the speech “*Audivi*” from 1436, however, Piccolomini had not yet adopted this line of reasoning. On the contrary, he states that the Duke of Milan *descends from the Turks*<sup>10</sup> of old and is thus *related to them by a hereditary bond*<sup>11</sup> which cannot in good faith be disclaimed (*scientes ducem cum Turcis, unde vetustissimam trahit originem, hereditariam habere familiaritatem, quod, salva fide, vituperari non potest*)<sup>12</sup>. When Piccolomini states that the duke descends from the Turks, he means the Trojans, cf. below on the Trojan genealogy of the house of Visconti. He thus uses the term “Turks”

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<sup>1</sup> In the Intermediate Version of the “*Audivi*”, Piccolomini consistently used the word Teucri for the Turks. He still did so in an oration of 1447 (cf. the oration “*Tritum est sermone*” [12]), but appears to have abandoned that term by 1450 (cf. the oration “*Quamvis in hoc senatu*” [17])

<sup>2</sup> Meserve: *Empires*, pp. 26-27; Hankins, p. 136

<sup>3</sup> Spencer; Schwoebel, pp. 31-32, 148, 188-189, 204-205; Bisaha, p. 89-90

<sup>4</sup> Schwoebel, pp. 148-149; Bisaha, pp. 89; Meserve: *Empires*, p. 41-43

<sup>5</sup> Piccolomini in the oration “*Constantinopolitana clades*” [22] from 1454, sect. 13: *Neque enim – ut plerique arbitrantur – Asiani sunt ab origine Turci, quos vocant Teucros*. Cf. Bisaha, pp. 75-76; Helmrath: *Pius*, pp. 106-111; Meserve: *Medieval*, pp. 419-425

<sup>6</sup> Meserve: *Empires*, p. 22

<sup>7</sup> Schwoebel, p. 70-71

<sup>8</sup> Hankins, p. 140

<sup>9</sup> Bisaha, p. 78; Meserve: *Empires*, p. 197

<sup>10</sup> The Early Version has Trojans, though

<sup>11</sup> *haereditaria familiaritas*

<sup>12</sup> Sect. 20

to mean both the Turks of his own time and the Trojans of antiquity, thereby implying that the contemporary Turks are descendants of the Trojans. This idea is reinforced a little later when Piccolomini calls the Turks *the avengers of the destruction Troy (Troiana ruinae ultores)*<sup>1</sup> which is a medieval theme – as seen above – and well-known in the humanist discourse on the Turks.<sup>2</sup> Until now, scholars have not focused on this statement by Piccolomini which seems to support the theory that the Turks were descendants of the Trojans, but in any case Piccolomini later gave up that idea. He did, however, use the term Teuceri for the Turks as late as January 1447, in the oration “*Tritum est sermone*” [12] to Eugenius IV.

The question of Piccolomini’s source for this notion does, however, remain. A most probable source is the Augustinian friar Andrea Biglia<sup>3</sup>, who lectured at the University of Siena from 1429<sup>4</sup> and had Piccolomini as one of his students at least towards the end of 1431.<sup>5</sup> Piccolomini may not have seen Biglia’s book *Commentarii de defectu fidei in oriente [sive de origine Turcharum]*<sup>6</sup>, completed shortly after May 1433<sup>7</sup>, when Piccolomini had already left Siena for Basel, but he would quite probably have known of Biglia’s ideas from lectures and discussions. Biglia’s book has been called “the first substantial discussion of early Turkish history by an Italian humanist.”<sup>8</sup> He considered the Turks to be the descendants of a number of peoples in classical Asia Minor, including the Trojans (Teuceri), and he uses the term Teucians for the Turks of his own time.<sup>9</sup> Though Biglia did not refer to the Turks as the avengers of Troy,<sup>10</sup> he stated outright that the Turks *love the Visconti [of Milan], because they say they [themselves<sup>11</sup>] were descended from Aeneas the Trojan*<sup>12</sup> – though the Turks, actually, said nothing of the sort. Biglia, who wrote a history of Milan, the *Mediolanensium rerum historia* from 1402-1431,<sup>13</sup> knew that Pietro da Casteletto had “glorified the house of Visconti by tracing the ancestry of the duke back to Aeneas,”<sup>14</sup> making that ducal house, like so many others princely families, the descendants of the Trojans. Piccolomini uses the very same theme of Turkish benevolence towards the Viscontis as founded in a common hereditary relationship, i.e. descent from the Trojans, and until evidence to the contrary is produced, it may quite reasonably be assumed that he had taken over this notion from Biglia.

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<sup>1</sup> Cf. below

<sup>2</sup> Moreover, the lead ms. A, probably executed under the direct supervision of Pius, has the margin note: *De imperio Teucrorum*, pointing to the text: *Magnum est imperium Turcorum* [sect. 21], thus supporting the notion of identity between Teucians (Trojans) and Turks

<sup>3</sup> Meserve: *Empires*, p. 34

<sup>4</sup> Schnaubelt, p. 46 ff.

<sup>5</sup> *Andreas Mediolanensis, quem Senis audivi*. Piccolomini: *De viris illustribus* [Leonardo Bruni (Aretino)], 36, 10. See also *Andrea Biglia*. In: *Dizionario Biografico degli Italiani*, 10 (1968), and Schnaubelt, p. 60

<sup>6</sup> Helmraath: *Pius*, p. 100, 106-107; Webb

<sup>7</sup> Meserve: *Empires*, p. 169. Helmraath refers to a *Commentarii historici detrimentio fidei sive de origine Turcharum* from 1432-1435, cf. *Reichstagsreden*, p. 106

<sup>8</sup> Black: *Benedetto*, pp. 227 ff. Cf. Helmraath: *Reichstagsreden*, pp. 106-107

<sup>9</sup> *For the ships of the Venetians and Genoese fill that sea, on whose shores the Teucians possess much land ...* Meserve: *Empires*, p. 182. Piccolomini, too, uses the term Teuceri at this time, cf. in a letter to Siena of 6 August, 1436 (Epistolarium, letter 21)

<sup>10</sup> Meserve: *Empires*, p. 35

<sup>11</sup> “sese”

<sup>12</sup> Meserve: *Empires*, p. 182

<sup>13</sup> Schnaubelt, p. 74

<sup>14</sup> Schnaubelt, p. 30

Diana Webb concludes her article on the *Rise and Fall of Eastern Christianity* (1975) with an expression of regret that Piccolomini did not say whether it was Biglia's *Commentarii de defectu fidei in oriente* he was thinking of when he remembered Biglia as a "historiarum scriptor."<sup>1</sup> Piccolomini quite probably knew about a number of Biglia's works, including his history of Milan, and he must also have known about the *Commentarii* and considered it as one of the "histories" that Biglia wrote. Indeed, Biglia's influence on Piccolomini's conception of historians and on his fascination with history<sup>2</sup> may have been quite important and merits further study.

Another possible source for Piccolomini's notion that the Turks were descendants of the Trojans are the contacts and conversations during his wanderings years in the late 1420's with humanists in Florence and elsewhere, and among them Leonardo Bruni, who was much admired by Piccolomini. They would have been familiar with the ideas of their old master Salutati.

Later, Piccolomini's view of the matter was completely reversed, partly because of the growing Turkish threat to Europe culminating in the fall of Constantinople in 1453, and partly because of his reading of Aethicus,<sup>3</sup> whom he apparently accepted as a real historian and from whom he took over the theory of the Turks having descended from the Scythians – in the mistaken belief that Aethicus was a classical and therefore an authoritative source.<sup>4</sup>

## 2.6. French interest

The French interest<sup>5</sup> was a challenge for a speaker who wanted the council to be held in Italy, in part because the interests of the French Court and the French clergy did not coincide. The prelates wanted to strengthen the status of the Gallican church as a national church and to reduce papal influence over French church affairs. The king supported this policy which would, some years later, be expressed in the Pragmatic Sanction of Bourges - but on the other hand the Crown would not want the French church to become too strong and independent of royal power.<sup>6</sup> Moreover, the high clergy and the king both wanted the council to be transferred to Avignon in order to reinforce French influence over it and – who knows – may be later to effect a return of the Papacy to Avignon and the French sphere of interest. The anti-Italian attitude of the French party was clearly expressed by the Bishop of Tours, Philippe de Coëtquis, who said: "*Either we should snatch the Apostolic See from the hands of the Italians, or we should leave it plucked bare, so that, wherever it remains, it can do nothing.*"<sup>7</sup>

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<sup>1</sup> Webb, p. 216

<sup>2</sup> Piccolomini: *De gestis*, p. 3

<sup>3</sup> Cf. Aethicus Ister

<sup>4</sup> Hankins, p. 137; Bisaha, pp. 75-76. Other sources for Piccolomini's later theory were Otto von Freising and Niccoló Sagundino

<sup>5</sup> Helmroth: *Baseler*, pp. 205-210

<sup>6</sup> Stieber, pp. 64-71

<sup>7</sup> Reject, p. 346

But the king himself also wanted the pope's support in the question of the Kingdom of Naples where the House of Anjou, part of the extended royal family of France, was fighting for the Crown with the Spanish House of Aragon. So the French King did not wish to antagonise the pope who had until then favoured the French claims. It is, therefore, not surprising that the king sent one of his seasoned diplomats, Simon Charles,<sup>1</sup> to Basel to ensure that his hotheaded clerics would not jeopardize his relations with the pope and compromise the French cause in Southern Italy.

In the matter of the venue for the council, Simon thus played a subtle role. No doubt he secretly favoured Avignon, but publicly he maintained his role as a cautious adviser and a friend to the council, and as someone who accepted and respected its independence, even as he and his ambassadorial colleagues during council meetings in autumn 1436 also expressed their support for the pope and his preference for an Italian venue.<sup>2</sup>

In his biography of Charles VII, Du Fresne de Beaucourt writes as follows concerning the activities of Simon Charles at Basel<sup>3</sup>:

*Quand cet important document<sup>4</sup> fut porté à sa connaissance, Charles VII venait d'envoyer une ambassade au Concile de Bâle.<sup>5</sup> Les principaux membres de cette ambassade étaient Amédée de Talaru, Archevêque de Lyon; Simon Charles; Alain de Coëtivy et Guillaume Chartier. ... Simon Charles porta la parole devant la congregation des Pères (1er juin 1436). Il protesta du dévouement de son maître envers le Concile ... Enfin il formula les vœux suivants: 1) Que le pape soit traité avec reverence et avec honneur, conformément à l'ordre hiérarchique ...3) Qu'un lieu étant à la convenance du Pape soit désigné pour traiter avec les représentants de l'Église grecque ... De Bâle, Simon Charles se rendit en Italie près du Pape, pour s'entendre avec lui sur la tenue du futur Concile et tâcher d'apaiser le différend avec les Pères de Bâle. Il était accompagné de Martin Questel. Les deux ambassadeurs remirent au souverain Pontife une lettre dans laquelle Charles VII faisait savoir qu'il appuierait le choix fait par lui de la ville de Florence comme lieu de l'assemblée. ... A la fin d'octobre, Simon Charles était de retour à Bâle. Il prit de nouveau la parole dans une congregation des Pères. Rendant compte de son ambassade, il fit savoir qu'il avait exposé au Pape et aux cardinaux les tribulations, le scandale,*

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<sup>1</sup> Helmrath: *Baseler*, p. 87

<sup>2</sup> Müller, p. 400-401: *There was no question that Eugenius IV would only confer the papal fief of Naples on René d'Anjou if he and his royal brother-in-law would advocate a union council in Italy. Once again strife broke out openly between Basel and Eugenius IV. In addition, the council must have felt duped when, in late summer, 1436, the French court made a radical shift by abruptly backing off from the Avignon project, to which it had given massive support. Henceforth the French court placed itself on the side of Eugenius IV – apparently. Since the end of October the court, through its special envoy in Basel, the royal counselor and knight, Simon Charles, officially supported Florence as the location for the union synod. At the same time, however, the court secretly kept up its earlier Avignon campaign. Thus it made use of a cunningly underhanded dual strategy to gain approval for Avignon with the help of none other than Basel, and at the same time to achieve the sought-after investiture of Naples of the royal brother-in-law by supposedly agreeing with the pope's intention to hold a council with the Greeks in Italy*

<sup>3</sup> Du Fresne de Beaucourt, III, pp. 338-339

<sup>4</sup> The *Libellus Apologeticus* sent by the pope to the princes of Europe in June 1436

<sup>5</sup> Cf. the king's letter of 30 March 1436

*le schisme à jamais déplorable qui résulteraient de la persistance du différend entre le Pape et le Concile, en même temps que la nécessité d'une reunion générale pour mettre un terme à la division et traiter avec les représentants de l'Église grecque. ... le Pape avait été informé que le Roi, malgré le vif désir qu'il éprouvait de voir se tenir cette fois dans son royaume le Concile qui jusque-là avait siégé en Italie ou en Allemagne, souhaitait avant tout qu'on choisit le lieu le plus convenable à la reunion avec les Grecs et à l'apaisement de la querelle.*

So, Simon Charles did not declare himself unambiguously and openly on the matter of the venue for the Union Council. This ambiguity Piccolomini exploited recklessly in his speech when he exclaimed that what the King's ambassador

*asks is good and worthy of being granted. For Simon admonishes us to avoid grounds for a schism, he asks us as to agree a location with the pope, and he does not recommend or reject any place by name. If I am not mistaken, his words advise us to choose Pavia ... [Sect. 48]*

The French clergymen at the council were probably quite exasperated at hearing this, and Piccolomini himself at the end of the speech took care to soothe the feelings of the Cardinal of Arles, the most prominent figure among the French party, who certainly did not want to move the council to an Italian city.<sup>1</sup>

So, at least there was one party among the audience which Piccolomini did not aim to please, attacking as he did the French position under cover of fulsome praise for the royal House of France and its pretend respect for the independence of the council.

## **2.7. Other themes**

Some other themes may be indicated here:

### **2.7.1. Democracy**

Throughout his life, Piccolomini was no admirer of democracy. Democracy had actually cost his own family its position in Siena when aristocratic government was overthrown and replaced by a – somewhat more – broadly based, democratic regime.

The Council of Basel itself was a powerful expression of conciliarism and an exponent of a democratic government of the church in opposition to papal, monarchic government, and Piccolomini at the time certainly favoured this movement.

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<sup>1</sup> Sect. 84

However, this did not translate into his political views: even to the young Piccolomini, the people was a dangerous animal, and those who were boasting of the name of liberty (i.e. democracy), were in reality *slaves ... who believe that freedom is to have many masters*.<sup>1</sup>

And later in the speech, he says about the common people that it *is mostly unstable, seditious, quarrelsome, eager for political change, and opposed to peace and quiet*.<sup>2</sup>

So, Piccolomini – and the princes - would not be deaf to the assertion of the pope that the revolt of the council against the papal monarch was a threat to all monarchic governments. The pope in a *Libellus Apologeticus* from June 1436, sent to the princes of Europe, asked: *Why are they [i.e. the council fathers] so eager to reduce this monarchy,<sup>3</sup> which God has established by his own word, to a popular state and to a democracy?*<sup>4</sup>

### 2.7.2. Dependence on princes

The council considered itself the highest authority in religious matters, and although the council fathers may have solicited the assistance of princes and been grateful for it, they considered it to be their God-given right.

The support of the princes was, in fact, extremely important to the council as the princes could require or forbid their bishops to attend the council.

Furthermore, they could give financial assistance to the council and favour a number of conciliar decisions which required their cooperation, e.g. concerning the provision of ecclesiastical benefices and offices in their respective territories.

Finally, their support was all-important in the conflict between pope and council, and in the end the council would flounder because ultimately the princes would favour their fellow-monarch, the pope.<sup>5</sup>

Not surprisingly, a number of council fathers resented the council's perceived dependence on the princes<sup>6</sup>. Piccolomini boldly gave expression to this frustration when he praised the attitude of the French ambassador, Simon Charles, who may have given advice to the council but then left *the decision to the council thus subordinating his own opinion to the view of the universal Church*.<sup>7</sup>

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<sup>1</sup> Sect. 63

<sup>2</sup> Sect. 85

<sup>3</sup> I.e. the Papacy

<sup>4</sup> Stieber, pp. 27-28: *Cur monarchiam hanc, quam Deus suo ore instituit, ad popularem status et ad democratiam deducere festinant*

<sup>5</sup> Stieber, p. 71

<sup>6</sup> Helmroth: *Baseler*, pp. 92 ff.

<sup>7</sup> Sect. 49

Piccolomini at this point rebuked the council fathers for unduly deferring to the princes and for not having the courage to do anything that displeased them.

Undoubtedly, the youthful speaker and very junior participant in the council here gave voice to the views of senior churchmen, quite possibly or probably those of Cardinal Cesarini, the President of the Council, with whose permission he was speaking. Cesarini would not have forgotten that one of the five aims of the Council, stated in his letter of appointment, was to preserve the freedom of the Church from secular power.

### **2.7.3. National stereotypes**

In the Renaissance, as in all other ages, national stereotyping was quite widespread, and Piccolomini used it often in his writings. The French whom he disliked were certainly not spared.

In the “*Audivi*” there is one instance of national stereotyping, in this case a positive one.

Commenting on the faithfulness of the people of Pavia, Piccolomini compares them to the Germans, about whose *faithfulness, seriousness and steadfastness* he could never say enough: *They keep their oaths firmly and honestly.*<sup>1</sup>

### **2.7.4. Logistics and provisions**

The Council of Basel had a large number of members – with their households. Therefore, the matter of logistics, transport and provisions was undoubtedly an important issue in the debates concerning the future location of the council.

Firstly, the matter of transportation: it may surprise a modern reader to learn that transportation as such does not seem to have been perceived as a problem. They could ride, walk or be carried in various types of vehicle, but this was an ordinary and commonplace procedure, and though they would even cross mountains on their way to Italy, Piccolomini does not find it necessary to comment on the hardships of traveling by road. He does at some point mention the comforts of transport on river barges, however, so the issue is not quite absent.

Safety from attacks by enemies and robbers was quite another matter, and Piccolomini is careful in outlining how the journey from Basel to Pavia would go through the territories of a friendly prince.

Sea travel may have been a convenient form of transportation, but this form of travel was quite hazardous, as Piccolomini had himself experienced on his way from Piombino to Genoa and later when he went to Scotland.

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<sup>1</sup> Sect. 65

Secondly, the matter of lodgings: great care is taken in determining the number of houses to be made available to the leading members of the council and their retinues. The others would have to get accommodation as best they could.

Thirdly, the matter of provisions: this is evidently an important issue, and one of the major reasons advanced in favour of Pavia was the ease of provisioning the city with food from the rich agricultural area surrounding it.

### 2.7.5. News and spies

As always, intelligence was extremely important, and the oration contains a couple of references to how such intelligence was obtained and disseminated.

Speaking of relations between the pope and the Duke of Milan, Piccolomini mentioned a certain Roberto of Florence. We may presume that this Roberto was Roberto Martelli, the manager of the Medici Bank's office in Basel from 1433-1438. Piccolomini called him a *diligent gatherer of news, who is in possession of many letters*.<sup>1</sup> Quite evidently the network of an international bank was an important instrument for gathering and disseminating news on matters affecting its affairs, even including copies of letters between princes.

Another intelligence network is the prince's network of spies (*exploratores*). Among the three things in favour of choosing the territory of the Duke of Milan as the location for the council was the fact that he could eliminate all risk to the council, *for the prince, being placed in a highly dangerous situation, endeavours to know through spies the secrets of many lords and various city states*. Stated quite matter-of-factly! A prince who wants to eliminate every kind of danger must necessarily know about the affairs and plans of his enemies – and of his allies - and a spy network was apparently quite the acceptable thing.

Through his voluminous correspondence Piccolomini was himself a veritable hub of intelligence, and some of his youthful activities might actually have come rather close to spying, cf. his letter to the ruler of Piombino with its detailed information about the fleet and fortifications of Genoa.<sup>2</sup>

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<sup>1</sup> Sect. 39. Roberto Martelli belonged to an eminent Florentine banking family, allied to the Medici. Since 1436 he diligently worked for the Union Council to take place in Florence, which later happened. In 1437, he was involved in the affair of the seals: the majority of the Council had voted for the Union Council (with the Greeks) to take place in Avignon, while the minority, headed by Cardinal Cesarini, voted for an Italian city, as the pope wished. The decree of the majority was sealed with the great seal of the council. But in the night between 13 and 14 June, a group of men, including Martelli, gained access to the small seal of the council, the leaden seal, with which the decree of the minority was promptly sealed before it was, in all haste, sent off to the pope. Martelli left Basel in 1438. From 1439 to 1464, including the pontificate of Pius II, he headed the Medici bank in Rome, cf. Becker, p. 53, and Crum, pp. 405-406

<sup>2</sup> WO, I/1, pp. 5-6

Elsewhere, Piccolomini mentioned another valued source of information: the couriers who were travelling all over Europe and from whom valuable information, even of remote places, might be obtained.<sup>1</sup>

And in the oration itself, he refers to those sea maps used by seamen to sail along coasts, probably the so-called portolans.<sup>2</sup>

### 3. Date, place, audience and format

The date of the oration is given as May 1436 by Mansi,<sup>3</sup> Voigt<sup>4</sup> and Boulting<sup>5</sup>, and as 11 May 1436 by Helmraht<sup>6</sup>. However, this date seems not to agree with events, referred to in the oration, which took place later than May.

Piccolomini mentions the peace between the pope and the Duke of Milan as having been made “*exacto jam anno*”, cf. sect. 37. That peace was concluded on 10 August 1435, which was considerably less than a year ago if the speech was given in May. This objection does not hold, of course, if “*exacto jam anno*” does not mean “a year ago”, but “in the past year”.

The second objection to the May date concerns key events in the Ligurian war.<sup>7</sup> In 1421 the Republic of Genoa came under the rule of the Duke of Milan, Filippo Maria Visconti, but still functioned as a separate state, and not as a part of the Milanese state. It continued its longstanding rivalry and conflict with the Kingdom of Aragon (Barcelona) pursuing an aggressive expansionist policy in the Western Mediterranean and had designs on the Kingdom of Naples which it eventually conquered. On 5 August 1435, at the sea battle of Ponza, the Genoese won a complete victory over King Alfonso of Aragon whom they took prisoner together with his brother. The Duke of Milan had the distinguished prisoners transported directly to Milan where he treated them royally. And, in a complete reversal of policies, he then entered into an alliance with Alfonso, thereby creating a strong North-South power axis in Italy. This was a serious setback for Genoa as well as a mortal insult. So, on 27 December 1435 the Genoese defected from the duke and again became an independent republic. A war resulted which was the background for the Genoese joining forces with Venice and Florence in a league directed against Milan. The League Treaty was signed on 29 May. Piccolomini refers to it in his oration, cf. sect. 38, but he could not have known of it in Basel in May.

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<sup>1</sup> WO, I/1, pp. 590

<sup>2</sup> Portolans: navigational maps based on compass directions and distances observed by the pilots at sea. First made in the 13th century in Italy. The oldest extant portolan is from the middle ages

<sup>3</sup> Pius II: *Orationes* (Mansi), I, p. xiv

<sup>4</sup> Voigt, I, pp. 116 ff.

<sup>5</sup> Boulting, p. 80

<sup>6</sup> Helmraht: *Reichtagsreden*, p. 141

<sup>7</sup> Cf. Pesce, and notes to sect. 37-38

Piccolomi also refers to subsequent peace negotiations under the aegis of the pope, cf. sect. 38. These negotiations began in Bologna, in August 1436.

In view of these facts, it is difficult to see how Piccolomini could have delivered the speech in May.

The presumably oldest version of the oration, in the manuscript Chisianus 251, with the initial words *Magnae saepe res*, has the following title: "*Oratio super electione loci pro futuro concilio ad reducidos Graecos habita Basileae in congregatione generali per dominum Eneam Silvium Senensem Kalendas XV Novembris MCCCCXXXVI*", i.e. 17 October 1436.

But in notary Bruneti's protocol from the council, it is quite clearly stated that Piccolomini gave his oration on Friday 16 November 1436:

*Die Veneris XVIa novembris MCCCCXXXVI in generali congregatione ... Dominus Eneas de Senis in scriptis narravit fere per horam cum dimidia commoditates civitatis Papiensis in futuro concilio Grecorum, rationes et motiva aperiendo.*<sup>1</sup> And later he stated: *Dominus cardinalis legatus regraciatu est domino Enee de Senis de bona oracione ejus.*<sup>2</sup>

Bruneti's record is confirmed by Juan de Segovia who, in his *Historia Gestorum Generalis Synodi Basiliensis*, noted as follows:

*Siquidem in concione ordinaria patrum XVIa die currentis Novembris Eneas Silvius Senensis oracione studiosa allocucione composita, in eius expressione moratus fere trium horarum spacio, cum laudes et commendaciones fecisset de loco Papiensi ad celebracionem oblato per ducem Mediolani, huius magnificencia velut supra cunctos principes abundancius exaltata, die altero posito avisamento ...*<sup>3 4</sup>

So, it must be concluded that date of the oration was 16 November 1436.<sup>5</sup>

It is worth noting the expression of Bruneti: *Dominus Eneas de Senis in scriptis narravit ...* which may indicate that Piccolomini actually spoke in the assembly on the basis of written notes or a written text which,<sup>6</sup> according to the *Commentarii*, he produced during the night following Isidoro Rosati's inept speech pleading for a city in the Duke of Milan's territory. As in other cases, Piccolomini's memory failed him to the point of marked exaggeration. According to Bruneti's protocol, Isidoro de

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<sup>1</sup> *Concilium Basiliense: Die Protokolle*, p. 334

<sup>2</sup> *Concilium Basiliense: Die Protokolle*, p. 335

<sup>3</sup> Juan de Segovia, Bk. IX, Cap. XXII, tom. II, p. 915

<sup>4</sup> Note that Bruneti says the oration lasted one hour and a half, whereas Juan says almost three hours

<sup>5</sup> Cf. Baldi: *Cardinale*, p. 20

<sup>6</sup> This is confirmed by a passage in the Intermediate Version, sect. 6: *Scripti ergo circa materiam electionis loci quantum nihil visum est oportere. Quare, si placet sive consonum est ea audire, quae commoda vestra concernunt, sinite ut haec mea scripta legantur in medium, quae melius unicuique deliberandi praebeant facultatem*

Rosate spoke for the Duke of Milan's territory in the general congregation held on 3 November, two weeks before: *Magister Ysidorus de Rosate legit in scriptis<sup>1</sup> commoditates locorum subiectorum illustrissimo dominio duci Mediolano pro concilio future Grecorum.*<sup>2</sup> Piccolomini may have decided immediately to make his own speech, and he may have working on it during the nights, but he did not give the speech the day after Isodoro's as he claimed in the *Commentarii*.

The audience consisted of the the council fathers attending the general congregation on 16 November 1436.

As for the format of the text, Pius himself, in the speech itself, clearly designates it as an oration: *Sed jam quid mea velit oratio in medium proferamus.*<sup>3</sup> The word "oratio" is also directly used in the title.

## 4. Text<sup>4</sup>

The oration is extant in three versions: an Early Version, an Intermediate Version and a Final Version.

### 4.1. Manuscripts<sup>5 6</sup>

#### 4.1.1. Early Version / "*Magnae saepe res*"

The Early Version circulated as individual copies,<sup>7</sup> eventually finding its way into a number of humanist collective manuscripts. Its has the incipit "*Magnae saepe res*".

It is contained in two manuscripts:

- **Roma / Biblioteca Apostolica Vaticana**  
Chis. J.VII. 251, ff. 137r-147r (H)\*

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<sup>1</sup> An entry in the protocol from 5 November concerning the Bishop of Albenga shows that Isidoro actually read from a *quaternus*: *quodam quaterno per dominum Ysidorum pridie lecto*, cf. *Concilium Basiliense: Die Protokolle*, p. 321

<sup>2</sup> *Concilium Basiliense: Die Protokolle*, p. 320

<sup>3</sup> Cf. sect. 7

<sup>4</sup> For the textual transmission of Pius II's, see *Collected Orations Pope Pius II*, vol. 1, ch. 5

<sup>5</sup> On the textual history of the *Audivi*, see appendix C

<sup>6</sup> Manuscripts for which an orthographical profile is given in *Collected orations of Pope Pius II*, vol. 11, are marked with an asterisk

<sup>7</sup> Cf. Pius' own information that many council fathers wanted copies of the oration, cf. above

- **Venezia / Biblioteca Marciana**  
Lat. XI. 77, ff. 27r-65r **(V)\***

The Venetian manuscript has some variants in common with the Final Version, so that it might actually be considered as another Intermediate Version.

#### 4.1.2. Intermediate Version / “*Etsi numquam*”

The Intermediate Version has a short introduction with the incipit “*Etsi numquam*”. It has more variants in common with the Final Version than with the Early Version.

It is contained in one manuscript:

- **Milano / Biblioteca Ambrosiana**  
M 44 sup, ff. 102r ff<sup>1</sup> **(K)\***

#### 4.1.3. Final Version / “*Audivi*”

The “*Audivi*” is the final version of the oration, stripped of the introduction in the Early and Intermediate Version. It was included in the Collected Orations of Pius II, the first edition of which was compiled in 1462, under the pope’s direct supervision.<sup>2</sup> It is contained in seven manuscripts:

- **Lucca / Biblioteca Capitolare Feliniana**  
544, ff. 2v-17r **(G)\***
- **Mantova / Biblioteca Comunale**  
100, ff. 1v-19v **(F)\***
- **Milano / Biblioteca Ambrosiana**  
I. 97 inf., ff. 1r-16v **(E)\***
- **Roma / Biblioteca Apostolica Vaticana**  
Chis. J.VI.211, ff. 1r-14v **(D)\***  
Chis. J.VIII.284, ff. 1r-12v **(A)\***  
Chis. J.VIII.286, ff. 1r-24r **(C)\***

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<sup>1</sup> “Liber olim Lanciani Curtii Artium Scholaris Mediol. Ann. 1484...” Contains a selection of humanist Latin texts, including the *Audivi*

<sup>2</sup> Cf. *Collected orations of Pope Pius II*, ch. 5.2

Vat. lat. 1788, ff. 1r-17v **(B)\***

## 4.2. Editions

The oration, in the Final Version, was published by Mansi:

- Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 2 vols. Lucca, 1755 / I, pp. 5-37 [*Based on the ms. in Lucca*]

## 4.3. Present edition

For principles of edition (incl. orthography) and translation, see *Collected Orations of Pope Pius II*, vol. 1, ch. 9-10.

*Text:*

The text in the present edition is based on all ten manuscripts listed above.<sup>1</sup> The Chis. J.VIII 284 **(A)** has been chosen as the lead manuscript.

*Pagination:*

Pagination is from Chis. J.VIII 284.

*Textual apparatus:*

Variants from the Early Version (**H** – with or without **K** and/or **V**) are given in bold types.

## 5. Sources<sup>2</sup>

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<sup>1</sup> The text published by Mansi has been collated, too, (MA), with a view to assessing the quality of that edition

<sup>2</sup> For an analysis of Piccolomini's use of sources, see *Collected Orations of Pope Pius II*, ch. 8

In the *"Audiui"*, altogether 48 direct and indirect quotations from various sources have been identified:

Biblical	2
Classical	40
Patristic and medieval	3
Contemporary	3
<b>All</b>	<b>48</b>

By far the greatest number of quotations are from classical authors, with only two quotations from the Bible.

### **Biblical sources**

<u>Old Testament</u>	0
<u>New Testament</u>	
Matthew	1
2. Corinthians	1
<b>All</b>	<b>2</b>

### **Classical sources**

Aristotle	1 <sup>1</sup>
Cicero	19
Homer	3
Juvenalis	2
Livius	2
Macrobius	1
Plutarch	5 <sup>2</sup>
Sallustius	1 <sup>3</sup>
Seneca	1 <sup>4</sup>
Sophocles	1
Tacitus	1
Terentius	2 <sup>5</sup>

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<sup>1</sup> Ethica Nicomac.

<sup>2</sup> De liberor. educ. 3 (in a Latin translation by G. Veronese); Moralia 2

<sup>3</sup> Bellum Catilinae

<sup>4</sup> Epist. morales

<sup>5</sup> Eunuch. 1; Heautont. 1

Vergilius	1
<b>All</b>	<b>40</b>

#### **Patristic and medieval sources**

Basil of Caesarea	1
Burley	2 <sup>1</sup>
<b>All</b>	<b>3</b>

#### **Contemporary sources**

Bruni	3 <sup>2</sup>
<b>All</b>	<b>3</b>

## **6. Bibliography**

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<sup>1</sup> Lib. de vita et moribus phil.

<sup>2</sup> De militia

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## 7. Sigla and abbreviations

**A** = Roma / Biblioteca Apostolica Vaticana / Chis. J.VIII.284

**B** = Roma / Biblioteca Apostolica Vaticana / Vat. lat.1788

**C** = Roma / Biblioteca Apostolica Vaticana / Chis. J.VIII.286

**D** = Roma / Biblioteca Apostolica Vaticana / Chis. J.VI.211

**E** = Milano / Biblioteca Ambrosiana / I. 97 inf.

**F** = Mantova / Biblioteca Comunale / 100

**G** = Lucca / Biblioteca Capitolare Feliniana / 544

**H** = Roma / Biblioteca Apostolica Vaticana / Chis. J.VII.251

**K** = Milano / Biblioteca Ambrosiana / M 44 sup

**V** = Venezia / Biblioteca Marciana / Lat. XI.77

**MA** = Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca, 1755-1759

### Abbreviations

**CO** = Pius II: *Commentarii rerum memorabilium quae suis temporibus contigerunt* [1464]

**HA** = Eneas Silvius Piccolomini: *Historia Austriacalis*. Teil 1: Einleitung von Martin Wagendorfer. 1. Redaktion ed. von Julia Knödler. Teil 2: 2./3, ed. Martin Wagendorfer. 2 vols. Hannover, 2009. (Monumenta Germaniae Historica. Scriptores Rerum Germanicarum. Nova Series; 24)

**HB** = Aeneas Silvius Piccolomini: *Historia Bohemica*. Herausg. J. Hejnic & H. Rothe. 2 vols. Köln, 2005. (Bausteine zur slavischen Philologie und Kulturgeschichte. Neue Folge. Reihe B; 20)

**MA** = Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759

**MPL** = Migne, Jacques-Paul: *Patrologia latina*. 217 vols. 1841-1865

**RTA** = Deutsche Reichstagsakten

**WO** = *Der Briefwechsel des Eneas Silvius Piccolomini*. Hrsg. von Rudolf Wolkan. 3 vols. Wien, 1909-1918. (Fontes rerum Austriacarum, 2 / 61, 62, 67, 68)

**Decretum** = *Decretum magistri Gratiani*. Ed. Lipsiensis secunda. Eds. A.L. Richter & A. Friedberg. 2 vols. Leipzig, 1879

**Epistolarium** = Enee Silvii Piccolominei *Epistolarium Seculare*. Ed. A. van Heck. Città del Vaticano, 2007. (Studi e testi; 439)

**Rainaldus** = *Annales ecclesiastici ab anno MCXCVIII ubi Card. Baronius desinit*. Auct. Odoricus Raynaldus. Tom. XVIII-XIX. Roma: Varesius, 1659-1663

**Reject** = *Reject Aeneas, accept Pius : Selected letters of Aeneas Sylvius Piccolomini (Pope Pius II)*. Intr. and transl. by T.M. Izbicki *et al.* Washington, D.C., 2006

# II. TEXT AND TRANSLATION

**Orationes Aeneae Silvii Piccolominei Senensis, qui postea pontificatum maximum adeptus Pius Secundus appellatus est. Editae fuerunt ante et post susceptum<sup>1</sup> pontificatum.<sup>2</sup>**

**Et haec prima habita fuit ab eo nondum sacris initiato in concilio Basiliensi cum ageretur de loco eligendo pro oecumenico<sup>3</sup> concilio cum Graecis habendo.<sup>4 5</sup>**

[1] {1r} Audivi, patres optimi atque sanctissimi, quae superioribus diebus viri cum eloquentia, tum etiam<sup>6</sup> bonitate praestantes, Gaspar Perusinus, seu<sup>7</sup> Florentinus, quod illa sit civitate donatus, ac Simon Venetus<sup>8</sup> de suis legationibus referebant, quorum, si rite judico<sup>9</sup>, eo penitus tendebat oratio, ut ad se quisque concilium traheret: hic Venetias, ille Florentiam. Audivi etiam Isidorum Raimundumque<sup>10</sup> suam, ut quisque aestimavit<sup>11</sup>, legationem anteferentem, et alios esse dicturos propediem non dubito. Itaque ut varia sunt loca, sic variae sunt affectiones concilium hoc sacratissimum diverse trahentes, quod praeter modum patriae quisque suae<sup>12</sup> favet, ut magnopere<sup>13</sup> formidandum sit, ne privatorum affectibus<sup>14</sup> concilium pessumdetur.

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<sup>1</sup> *omit.* B, C

<sup>2</sup> *Lege feliciter add.* A

<sup>3</sup> *icomenico* A, B, C, F

<sup>4</sup> *Orationes ... habendo* : *Oratio Enee Silvii Piccolominei Senensis habita Basilee pro loco deligendo pro oecumenico Concilio cum Grecis celebrando* D, G

<sup>5</sup> *Incipit add.* B, C, E

<sup>6</sup> *et iam* E; *et* V

<sup>7</sup> *sive* V

<sup>8</sup> *de Valle* H, V

<sup>9</sup> *judicio* V

<sup>10</sup> *Raymundum* quod C; *et Raymundum* K

<sup>11</sup> *existimavit corr. ex estimavit* D; *extimavit* F, V; *existimavit* G, H, MA

<sup>12</sup> *quisque suae* : *suae quisque* G, MA

<sup>13</sup> **maxime** H, K, V

<sup>14</sup> *corr. ex affectionibus* A; **affectionibus** H, K, V

# Orations of Enea Silvio Piccolomini of Siena, who later became Supreme Pontiff under the name of Pius II. They were given before and after his accession to the Papacy

And this the first one was held before he entered holy orders, at the Council of Basel, during the negotiations about the choice of venue for the Ecumenical Council with the Greeks

## 1. Introduction

### 1.1. Background

[1] Most excellent and holy fathers, over the last days, I have heard<sup>1</sup> what those eloquent and good men, Gaspare of Perugia (or of Florence whose citizen he has become)<sup>2</sup> and Simone of Venice<sup>3</sup> had to report concerning their missions. If I understood their orations correctly, each of them wanted to draw the council to his own city, Simone to Venice and Gaspare to Florence. I have also heard Isidoro<sup>4</sup> and Raimondo<sup>5</sup> favouring their own mission, and I do not doubt that others will speak in the same vein during the next days. It would appear that there are as many sentiments as there are cities. Since everybody excessively favours his home city,<sup>6</sup> this Holy Council is being drawn in all directions. Thus, it is highly to be feared that the council will fail because of private interests.

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<sup>1</sup> Piccolomini had attended meetings of the council where envoys of various Italian cities argued the advantages of their own city as a venue for the impending council with the Greek Church, on union between the Latin Church and the Greek

<sup>2</sup> Gaspare spoke for Florence on 3 and 5 November, cf. *Concilium Basiliense: Die Protokolle*, p. 320-321

<sup>3</sup> Simone della Valle, cf. Pius II: *Orationes*, I, p. 35, note 2. He spoke for Udine in Venetian territory in the General Congregations of 30 October and 9 November, cf. *Concilium Basiliense: Die Protokolle*, p. 319 and 325: *Dominus Symon de Valle lecta littera Venetorum de oblacionibus etc. narravit commoditates loci oblatis per Venetos etc. videlicet civitatis Utinensis / Dominus Symon de Valle inscriptis nomine dominorum Venetorum continuavit commoditates Veneciarum*

<sup>4</sup> Isidoro da Rosate: envoy of the Duke of Milan who presented the case for Pavia so ineptly that the council fathers bade him be silent. He thereby provided Piccolomini with an opportunity to take over ... and to shine, cf. Pius II: *Orationes*, I, p. 35, note 3. Piccolomini speaks disparagingly about him on other occasions, cf. *De Viris Illustribus*, IV, and a letter to Francesco Pizzolpasso of 5 December 1442. He spoke for the territory of the Duke of Milan in the General Congregation of 3 November, cf. *Concilium Basiliense: Die Protokolle*, p. 319 and 320. Also the Archpriest of Pavia spoke for Pavia, in the General Congregation of 7 November, cf. *Concilium Basiliense: Die Protokolle*, p. 323

<sup>5</sup> Raimondo Taloni: the council fathers had delegated the matter of Avignon to him, cf. Pius II: *Orationes*, I, p. 35, note 4. Like Gaspare, he spoke on 5 November, reading the speech (*in scriptis legit*), cf. *Concilium Basiliense: Die Protokolle*, p. 323

<sup>6</sup> "patria"

[2] Quibus de rebus maxima mecum<sup>1</sup> ipse cogitatione<sup>2</sup> contendi, facturusne verba in publico essem, an tacitus permetterem<sup>3</sup> suo labi flumina impetu. Videbatur homini privato atque inerudito tacendum fore in eruditissimorum coetu virorum, quales hinc<sup>4</sup> atque hinc<sup>5</sup> video, quorum consilio et auctoritate universus orbis recte regi gubernarique possit. Neque dignum existimabam, ut ego homuncio os aperirem, ubi non doctores modo scientiarum, sed patres<sup>6</sup> omnium facultatum adessent.

[3] Ceterum cum me vestro<sup>7</sup> adstrictum<sup>8</sup> consortio meminissem, cum jurisjurandi<sup>9</sup> a me suscepti verba repeterem, loquendum penitus existimavi oportere<sup>10</sup>, si juramento vellem satisfacere, cujus antehac numquam contempsit religionem. Namque et ubi potui et ubi licuit semper<sup>11</sup> huic concilio favi, vestraque opera<sup>12</sup> ubique gentium {1v} publicavi, atque ubi verbis esse non potui, scriptis interfui. Namque, ita me Deus amet, semper hoc concilium magnifeci, semper esse saluti Christianorum putavi necessarium; atque ideo magno affectu erga ipsum semper accensus<sup>13</sup> extiti<sup>14</sup>, cui me ita<sup>15</sup> dedi, ut corpus et<sup>16</sup> quidquid<sup>17</sup> extra corpus habeo libenter pro eo sim<sup>18</sup> expositurus.

[4] Indignum igitur<sup>19</sup> atque absurdum putabam verba pro eo non effundere, pro quo sententia sit neque corpori parcere. Quod si quis patriae obnoxius est vitam exponere, quanto magis concilio? Ac<sup>20</sup> si nullum discrimen concilii causa fugiendum est, quis verba inanemque linguae sonum retineat? Quis taciturnitatem laudet, ubi usui futurus est sermo? "*Mulier,*" ut<sup>21</sup> inquit Homerus, "*taciturnitas decus affert, sed non item*<sup>22</sup> *viro.*"

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<sup>1</sup> cum C

<sup>2</sup> ipse cogitatione *corr. ex cogitatione ipse* G; cogitatione ipse MA

<sup>3</sup> premitterem C; permittere K

<sup>4</sup> habere V

<sup>5</sup> **inde H; omit. V**

<sup>6</sup> parentes A-C, E-F, H, K, V

<sup>7</sup> nostro V

<sup>8</sup> adscriptum C; **adstrictum H, V**

<sup>9</sup> jurisjurandum V

<sup>10</sup> **omit. H**

<sup>11</sup> et *add.* F

<sup>12</sup> *omit.* K

<sup>13</sup> *omit.* B, C, E

<sup>14</sup> accensus extiti *corr. ex extiti accensus* G; extiti accensus MA

<sup>15</sup> **me ita : ita me H, V**

<sup>16</sup> *omit.* V

<sup>17</sup> est *add.* F

<sup>18</sup> sum C, K

<sup>19</sup> itaque *add.* G, MA

<sup>20</sup> at D, H, G, MA

<sup>21</sup> *omit.* F

<sup>22</sup> idem F

[2] For this reason, I have been thinking intensely about whether I should intervene in the debate, or silently let the river take its own course. On the one hand, it seemed that a private and unlearned man ought to remain silent in the assembly of very learned men I see around me. Indeed, the whole world may be rightly ruled and governed by their counsel and authority! And I thought it would be improper for an insignificant person such as myself to open his mouth in an assembly where not only doctors in the various branches of knowledge,<sup>1</sup> but also council fathers with every kind of qualification<sup>2</sup> are present.

[3] On the other hand, when I considered my obligations towards your fellowship, and when I repeated to myself the words of my oath,<sup>3</sup> I found it necessary to speak up if I were to keep it. For I have always kept that oath religiously and supported this council whenever I could and had the possibility. I have spoken about your works everywhere, and where I could not speak I wrote. Always – and may God love me for it! – did I praise this council; always did I consider it necessary for the salvation of the Christians; and always have I been so passionately engaged in the council, to which I have given myself, that I would gladly sacrifice my own body and everything else I have in its service.

[4] Thus it appeared unseemly and absurd not to speak up in favour of something for which I am ready to give my life. If you have an obligation to give your life for your country, you have an even greater obligation to give it for the council. And if you should shun no danger for the sake of the council, then why should you withhold your words and the sound of your voice? Who will praise your silence if your speech would be useful? Homer says that “*silence makes a woman beautiful, but this does not apply to a man.*”<sup>4 5</sup>

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<sup>1</sup> “scientia”

<sup>2</sup> “parentes [D, M have patres] omnium facultum”. Meaning unclear

<sup>3</sup> Oaths: at this time oaths were still being taken very seriously and formed the basis of important contractual engagements, cf. sect. 65

<sup>4</sup> This is a direct quote from Leonardi Bruni: *De Militia*, 1422, p. 384: *Mulieri inquit Homerus taciturnitas decus affert, sed non item viro*. The quote refers to Homer: *Odyssey*, 1, 356-359, and is found directly in Sophocles, *Ajax*, 293: *Gynaῖksi kósmon è sigé phèrei*. St. Paul alludes to this passage in 1. Corinthians 14, 34. Also quoted by Aristotle, in *Politica*

<sup>5</sup> Note an example of Piccolomini’s frequent use of sentences (*sententiae*) from classical literature to give depth and authority to an argument

[5] Judicavi ergo non solum decere me<sup>1</sup> loqui, sed oportere in tanto hujus sacri concilii periculo, quando<sup>2</sup> nullum adhuc audivi, qui ea dixerit, quae a me in praesentiarum, si placuerit, audietis. Et quoniam jam vos video<sup>3</sup> paratos et promptos ad audiendum, utinam illa<sup>4</sup> mihi<sup>5</sup> <sup>6</sup> dicendi vis esset eaque persuadendi<sup>7</sup> auctoritas, qua olim in Atheniensi senatu adversus Aeschinem pro Ctesiphonte<sup>8</sup> usum ajunt fuisse Demosthenem.

[6] Neque enim ego dicendi artem facundiamque contemno, quemadmodum plerosque in hac congregatione perspexi, qui eam magnopere detestantes nullam omnino se habere aut habere se velle dixerint<sup>9</sup> eloquentiam. Ego enim ita sentio, et<sup>10</sup> sic testem habeo Ciceronem, "*rerum dominam esse vim eloquendi*<sup>11</sup>, quae sola facit, ut ea quae ignoramus discere, et quae scimus alios docere possimus." Quae quantum mihi modo<sup>12</sup> esset opportuna, nemo me melius novit. Multa enim scio et mentis video luminibus, quae non ut vellem vobis possum<sup>13</sup> insinuare, quando eam<sup>14</sup> mihi video<sup>15</sup> deesse<sup>16</sup>, cui soli et orandi et exorandi attributum est<sup>17</sup> munus.

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<sup>1</sup> omit. C

<sup>2</sup> quanto C

<sup>3</sup> vos video : video vos K

<sup>4</sup> omit. C

<sup>5</sup> illa mihi : mihi illa G, MA, V

<sup>6</sup> omit. K

<sup>7</sup> omit. V

<sup>8</sup> Demophonte H, K, V

<sup>9</sup> dixerunt H, V

<sup>10</sup> ut K

<sup>11</sup> vim eloquendi : eloquendi vim F

<sup>12</sup> mihi modo : modo mihi H ]

<sup>13</sup> vobis possum : possum vobis B, D, E, G, MA

<sup>14</sup> enim G, MA

<sup>15</sup> intelligo H; omit. V

<sup>16</sup> quae non ... deesse omit. K

<sup>17</sup> sit G, MA

[5] I have come to the conclusion that I should, nay I must speak up in this grave danger to the Sacred Council, as I have not as yet heard anyone say the things you shall hear from me now, if you so permit. And as I see that you are ready to listen, I wish that I may have the same power to speak and the same authority to convince as Demosthenes<sup>1</sup> when he spoke, in the Athenian Senate, for Ktesiphon against Aeschines.<sup>2</sup>

[6] For I do not despise the art of speaking and eloquence even though I am aware that many in this assembly claim to detest them, and do not have any eloquence at all nor want to have it. But in my own opinion – and Cicero is my witness – “*the power of eloquence is the mistress of things ... It is she alone that makes us able to learn what we do not know and to teach others what we do know.*”<sup>3</sup> Nobody knows better than I how useful eloquence could be to me, for I know many things and see them in my mind,<sup>4</sup> but I cannot explain them to you as well as I would since I am lacking that [eloquence] which alone has the power to bestow the gift of speaking.<sup>5</sup>

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<sup>1</sup> Demosthenes (384-322 BC): Greek statesman

<sup>2</sup> Cf. Cicero: *Orator*, 8.8.26: *Demosthenes, who, I said, excels all others, in his masterpiece, the famous oration In Defence of Ctesiphon (hic, quem praestitisse diximus ceteris, in illa pro Ctesiphonte oratione longe optima)*. This speech was considered by Renaissance humanists to be a classical masterpiece of rhetorics

<sup>3</sup> Cicero: *De natura deorum*, 2.59.148: *iam vero domina rerum, ut vos soletis dicere, eloquendi vis quam est praeclara quamque divina: quae primum efficit ut et ea quae ignoramus discere et ea quae scimus alios docere possimus*

<sup>4</sup> “*mentis luminibus*”: “by the lights of my mind”

<sup>5</sup> “*orandi et exorandi*”

[7] At<sup>1</sup> tu, Deus, oro, *qui*<sup>2</sup> *templa caeli summa*<sup>3</sup> *sonitu concutis*, qui genus humanum benigne curas, qui et<sup>4</sup> hoc congregare concilium<sup>5</sup> voluisti et rem Graecam in medium adduxisti, jam mihi et recte consulendi facultatem et his bene atque utiliter deliberandi mentem concedito. Tuum est hoc negotium, tuaque sunt<sup>6</sup> opera. In te omnium sita spes, in te conversi omnium oculi sunt. Neque putamus tuam nobis opem<sup>7</sup> negari, quam nemo petens umquam<sup>8</sup> non impetravit. Quod nisi putassem, numquam hodie huc loci ratiocinaturus accessissem. Spero enim, patres humanissimi<sup>9</sup>, et daturum mihi Deum, quod loquar, cum de suis rebus agatur, et vestras mentes ad<sup>10</sup> partem per eum flecti ducique meliorem {2r}. Sed jam quid mea velit<sup>11</sup> oratio in medium proferamus<sup>12</sup>.

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<sup>1</sup> *Invocatio in marg.* A, F, K

<sup>2</sup> *per* V

<sup>3</sup> *summo* K

<sup>4</sup> **etiam** H, V

<sup>5</sup> *congregare concilium* : *concilium congregare* G, MA

<sup>6</sup> **tuaque sunt: tua quae fiunt** H, K, V

<sup>7</sup> *nobis opem* : *opem nobis* K

<sup>8</sup> *numquam* K

<sup>9</sup> *patres humanissimi omit.* K

<sup>10</sup> **in** H, V

<sup>11</sup> *mea velit* : *velit mea* V

<sup>12</sup> **proferam** H, V

[7] But you, oh God, *the one who shakes the lofty vaults of heaven with his thunder!*<sup>1</sup> who benevolently takes care of the human race, who has wanted to gather this council, and who has caused us to deal with the matter of the Greeks,<sup>2</sup> I ask you: grant me the ability to give good counsel and grant this assembly to discuss the matter well and profitably. For this matter is Yours, this work is Yours. All our hope is in You; all our eyes are on You. And we believe that we can trust in Your assistance, for anyone who has ever asked for Your help has received it. If I did not think so, I would never have come here today to present my views. For I hope, kind Fathers, that God will let me know what to say in his own cause, and that he will bend and lead your minds towards the best solution. But let us now proceed to the subject of my oration.<sup>3</sup>

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<sup>1</sup> Terentius: *Eunuchus*, 590

<sup>2</sup> I.e. the project of reunification of the Greek and the Roman (Latin) Church

<sup>3</sup> "oratio": note the term used by Piccolomini to designate his text

[8] Tempus<sup>1</sup>, ut scitis, prope est, quo de reductione Graecorum naviumque missione agendum a vobis<sup>2</sup> est. Et quoniam multae illis pecuniae sunt promissae, quibus et duci possint et ali, nonnulli a vobis excogitati sunt modi, quibus hanc summam possetis<sup>3</sup> in tempore<sup>4</sup> habere paratam. Nullam tamen expeditiorem viam censuistis quam ex loco pecunias quaerere, ubi futurum esset concilium. Ut<sup>5</sup> si qui essent, qui sanctam hanc synodum in suis terris<sup>6</sup> habere cuperent, mutuam hanc summam concederent. Misistis, qui diversorum principum ac<sup>7</sup> communitatum<sup>8</sup> animos persentirent<sup>9</sup>. Hinc illa Venetorum oblatio nec vobis nec illo illustri<sup>10</sup> dominio<sup>11</sup> indigna. Hinc Florentinorum promissiones ab exuberanti quadam magnificentia procedentes. Hinc Avinionensis<sup>12</sup> populi non magna solum, sed amplissima pollicitatio, quae illam urbem non minus fidelem quam devotam ecclesiae filiam manifestat. Hinc principis potentissimi<sup>13</sup> Filippi Mariae ducis Mediolani mirifica regalisque concessio, cui semper<sup>14</sup> animo fuit nec<sup>15</sup> vestris deesse mandatis, nec petitionibus adversari. Hinc aliorum neque viles neque contemnendae sponsiones. Hinc jam certi estis ea servare Graecis posse, quae vestra decreta decantant.

[9] Socratis tamen verba non absurde vobis insinuaverim<sup>16</sup> <sup>17</sup>, qui cum videret hominem divitiis affluentem eaque de causa fastidio quodam<sup>18</sup> gloriabundum: *“Non prius te,”* inquit<sup>19</sup>, *“admirabor, quam<sup>20</sup> notum mihi<sup>21</sup> fuerit, quo pacto scias uti fortunis tuis.”* Magno nempe atque admirabili immortalis Dei beneficio usi estis, qui ea<sup>22</sup> vobis facilia fecerit, quae non solum difficilia, sed impossibilia videbantur. Ob quam<sup>23</sup> rem magnas habendas Deo<sup>24</sup> gratias censeo, qui talem de vobis curam gesserit, qui naviculam suam ex altissimis<sup>25</sup> fluctibus ad portum salutis eduxit<sup>26</sup>, ut navigare deinceps in portu videamini.

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<sup>1</sup> Narratio *in marg.* A, K

<sup>2</sup> agendum a vobis : a vobis agendum G, MA

<sup>3</sup> possitis V

<sup>4</sup> possetis in tempore : in tempore possetis G, MA

<sup>5</sup> *omit.* K

<sup>6</sup> suis terris : terris suis G, MA

<sup>7</sup> **et H**

<sup>8</sup> comitatum V

<sup>9</sup> presentirent K

<sup>10</sup> illari V

<sup>11</sup> domino E, F, K

<sup>12</sup> Ammonensis V

<sup>13</sup> **atque invictissimi add. H, K, V**

<sup>14</sup> in *add.* B, E

<sup>15</sup> neque F

<sup>16</sup> vobis insinuaverim : insinuaverim vobis K

<sup>17</sup> **insinuerim H, V**

<sup>18</sup> *omit.* G, MA

<sup>19</sup> te inquit : inquit te G, MA

<sup>20</sup> que V

<sup>21</sup> notum mihi : mihi notum G, MA

<sup>22</sup> qui ea : quia F

<sup>23</sup> **hanc H, V**

<sup>24</sup> habendas deo : deo habendas G, MA

<sup>25</sup> altis F

<sup>26</sup> deduxit MA

## 1.2. Preparations for Greek participation in a Union Council

[8] As you know, the time approaches when you will have to act in the matter of reunion with the Greeks and the sending of ships. As great sums have been promised them for their transportation and provisions, you have been considering various ways of having the money ready in time. You have decided that the best way is to ask for money from the city where the council shall be held, so that those who want to have this Holy Synod on their territory would have to lend you the necessary funds. You have sent envoys to explore the minds of various princes and city-states. And now you have an offer from Venice, worthy both of you and of that illustrious realm. You also have magnificent promises from Florence. And you have an offer from the people of Avignon that is more than large, it is actually extremely generous, and it shows that city to be both a devoted and faithful daughter of the Church. You have also received a magnificent and princely offer from the mighty Prince Filippo Maria, Duke of Milan,<sup>1</sup> who has always wished to obey your decrees and grant your petitions. And finally, you have generous and impressive offers from a number of other parties. So, you may now be certain that you can provide the Greeks with the assistance you have decreed.

[9] I think, however, that it is appropriate to remind you of something Socrates<sup>2</sup> once said when he saw a man who was rich and proud of it: *I shall not admire you before I know how you use your fortune.*<sup>3</sup> For immortal God has made those things easy for you which appeared to be not just difficult, but impossible, and until now you have used this great and wonderful gift well. We owe great thanks to God who has taken such good care of you and who has brought his ship<sup>4</sup> from the stormy sea into safe harbour so that you now seem to be sailing calmly within the harbour itself.

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<sup>1</sup> Filippo Maria Visconti (1392 - 1447): Duke of Milan from 1412 to his death

<sup>2</sup> Socrates (ca. 469 - 399 BC): Greek philosopher

<sup>3</sup> Quoted in Basil: *Ad adolescentes*, 9, 23

<sup>4</sup> Metaphor for the Church

[10] Quod quamquam ita est, non tamen dimittendum esse clavum arbitror, neque abjiciendam gubernaculi curam. Vidimus enim saepe nautas cum summo gaudio atque ingenti laetitia portum suscepisse, et in ipso seu magistri negligentia, seu maris<sup>1</sup> violentia fecisse naufragium. Quocirca etsi vobis<sup>2</sup> paene in tuto<sup>3</sup> res est, nolite tamen clausis oculis ad ea, quae restant, accedere. Adhuc enim vitandi sunt scopuli, adhuc praevidenda tempestas et cavenda est nobis<sup>4</sup>. Neque enim quocumque pergitis tutum est, sed in ipsa electione<sup>5</sup> difficultas laborque versatur<sup>6</sup>, ut si bene eligatis, bene succedat, si male, eveniat male.

[11] De hujuscemodi<sup>7</sup> ergo electione loquendum mihi statui, cujus, {2v} ut opinor, verba minime contemnetis. Nec quis dicat, sed quae dicantur, trutinabitis. Notam siquidem vobis illam Ciceronis<sup>8</sup> *De natura Deorum* sententiam puto, qui ait: *Non tam auctores in disputando quam rationis momenta quaerenda esse*. Quod si quid inepte dixero, repudiate; si quid cum ratione attulero, suscipite. Atque utinam<sup>9</sup> ea vobis<sup>10</sup> modo convenirent<sup>11</sup>, quae<sup>12</sup> apud Sallustium<sup>13</sup> Caesar in consulendo requirit: *Omnnes homines, inquit ille, patres conscripti, qui de rebus dubiis consultant, ab odio, amicitia, ira atque misericordia vacuos esse decet*.

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<sup>1</sup> navis V

<sup>2</sup> nobis D, G, MA

<sup>3</sup> toto E

<sup>4</sup> **vobis H, V**

<sup>5</sup> *omit.* K

<sup>6</sup> vertitur B, E

<sup>7</sup> cuiuscemodi K

<sup>8</sup> Cicero *in marg.* A, K

<sup>9</sup> ut F

<sup>10</sup> nobis D, G, MA

<sup>11</sup> conveniret E

<sup>12</sup> et *add.* K

<sup>13</sup> Salustius *in marg.* A, K

### 1.3. Venue for the council

[10] Still, it is too early to detach the rudder and stop caring about the steering wheel. For often we have seen seamen enter a port, joyful and jubilant, only to be shipwrecked inside the port itself<sup>1</sup> because of the captain's inattention or the violent sea. Therefore, though the matter is almost safely concluded: do not approach what remains to be done with eyes shut. For there are still cliffs to be avoided, and you must still be on guard against storms. Not all directions are safe for you. Choosing a venue for the council is fraught with difficulty and trouble: you will have success if you make a good choice and fiasco if you make a bad one.

### 1.4. Impartiality of the council

[11] I shall be speaking of this choice, and I trust you not to spurn my words. Do not consider who is saying them, but what is being said. I presume that you know the sentence from Cicero's<sup>2</sup> *De Natura Deorum*<sup>3</sup> to the effect that *in a discussion you should not consider authority of the debaters, but their arguments*.<sup>4</sup> So, if I say something that is inept, then reject it, and if I say something that is reasonable, then accept it. And may that apply to you which Caesar<sup>5</sup> - according to Sallust<sup>6</sup> - required in deliberations: *Members of the Senate*,<sup>7</sup> *all men who deliberate upon difficult questions had best be devoid of hatred, friendship, anger and pity*.<sup>8</sup>

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<sup>1</sup> Seneca: *Epistulae morales*, 2.14.15: *Perit aliqua navis in portu*

<sup>2</sup> Marcus Tullius Cicero (106-43 BC): Roman statesman

<sup>3</sup> Cicero, *De natura deorum* (c. 45 BC). Book on the theology of various schools in antiquity.

<sup>4</sup> Cicero: *De natura deorum*, 1.5.10: *Non enim tam auctoritatis in disputando quam rationis momenta quaerenda sunt.*

<sup>5</sup> Gaius Julius Caesar (100– 44 BC): Roman general and statesman

<sup>6</sup> Gaius Sallustius Crispus (86–34 BC): Roman historian

<sup>7</sup> "Patres conscripti" = Conscript fathers: the senators of ancient Rome. When a group of new senators were first added (conscripti) to the original assembly of "Fathers" (Patres), the extended assembly was called "Patres et Conscripti". Later, the whole assembly was just called "Patres conscripti"

<sup>8</sup> Sallustius: *Bellum Catilinae*, 51.1

[12] Quod si modo<sup>1</sup> cernerem, nihil<sup>2</sup> mali suspicarer. Nec<sup>3</sup> enim loquens aliquis ducalem aut Venetum aut Florentinum se jactitaret, sed conciliarem<sup>4</sup>, sed *mundanum*<sup>5</sup>, ut inquit Socrates<sup>6</sup>, sese exhiberet<sup>7</sup>, cunctaque ad utilitatem concilii mundique commoda referret, nec suae affectioni<sup>8</sup> publicam postponeret utilitatem. Hinc namque, ni fallor, totius Christianitatis salus dependet, ut si locus aptus eligatur<sup>9</sup>, et Argolicis erroribus mederi et multis latinae linguae deformitatibus providere possitis. Quod si dubium insecure<sup>10</sup> acceptare contingat, dissipetur<sup>11</sup> concilium<sup>12</sup>, et praelati in praedam ultionemque dentur<sup>13</sup>, quod sine magno Christiani populi malo fieri non potest. Hic igitur aperiendi sunt oculi, hic summis digitis suspendendae oculorum palpebrae, ne quid perperam aut temere incipiatis. Sed imitemini sapientem, *cujus proprium*<sup>14</sup> est, ut a Cicerone<sup>15</sup> dicitur<sup>16</sup>, *nihil facere quod poenitere possit*.

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<sup>1</sup> *omit.* G, MA

<sup>2</sup> nil K

<sup>3</sup> *hec* B, E, F; **neque** H, V

<sup>4</sup> *conciliamini* V

<sup>5</sup> *mundamini* V

<sup>6</sup> Socrates *in marg.* A, K

<sup>7</sup> *exuberet* B, E

<sup>8</sup> *factioni* B, E

<sup>9</sup> *deligatur* MA

<sup>10</sup> *in securum* V

<sup>11</sup> **dissipabitur** H, V

<sup>12</sup> Christiani populi *add.* K

<sup>13</sup> **dabuntur** H, V

<sup>14</sup> **preceptum** H; *principium* V

<sup>15</sup> Cicero *in marg.* A, K

<sup>16</sup> *dicetur* E

[12] If I perceive such sentiments now, I do not consider them to be of a malicious nature, but I do think that no speaker should present himself as the Duke's man<sup>1</sup> or a man of Venice or of Florence, but rather as the Council's man or as *a man of the World*, as Socrates says.<sup>2</sup> Everything should be considered in terms of its usefulness to the council and its benefit to the world, and nobody should set his private affections above the common good. Unless I am mistaken, the very salvation of all Christianity depends on this, and if you choose a suitable venue for the council, you can remedy the Argolian<sup>3</sup> errors and much that is crude in the Latin language. But if you choose a dubious and unsafe location, the council will be dispersed and the prelates subjected to plunder and revenge – to the great detriment of the Christian people. Indeed you must open your eyes and keep your eyelids apart with your fingertips so that you do not embark upon a reckless and risky course. Let us imitate the wise man whose *nature it is* – as Cicero says – *to do nothing of which he may repent*.<sup>4</sup>

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<sup>1</sup> i.e. of Milan

<sup>2</sup> “mundanus”: **Socrates** as quoted by Plutarch, *On Exile* in *Moralia*: “... the saying of Socrates is still better, that he was no Athenian or a Greek, but a “cosmian” (as one might say Rhodian or Corinthian), because he did not shun himself up with Sunium or Taenarus and the Ceraunian mountains.” Cicero refers to this saying in *Tusculanae Disputationes*, 5.37.108. Cf. also Burlaeus (Socrates). Piccolomini may have taken over the notion of world citizenship from Francesco Filelfo whose lectures he heard, as a young man, in Florence: ... in his early career Filelfo imagined himself a stoic “world citizen”, attached to no particular city and detached from political concerns (Meserve: Nestor, p. 62, quoting Blanchard)

<sup>3</sup> i.e. Greek

<sup>4</sup> Cicero: *Tusculanae Disputationes*, 5.28.81

[13] Fingamus<sup>1</sup> igitur concilii personam, et quid illam facere deceat examinemus. Eam, si cujatem<sup>2</sup> se dicat, interroges, neque Italicam, neque<sup>3</sup> Gallicam, neque Germanicam aut Hispanicam se vocitabit, sed Christianam<sup>4</sup> asseverabit, solumque illud se quaerere dicit, quod nomini<sup>5</sup> Christiano conducat. Hujus erit sentes ex agro dominico, idest haereses eradicare, mores reformare, pacem<sup>6</sup> ubique statuere<sup>7</sup>. Cavebit ne quid agat injuste, praeceptumque illud Pythagoricum<sup>8 9</sup> observabit<sup>10</sup>, quo praecipit<sup>11</sup>, “*jugum stateramque ne transcendere*<sup>12</sup>.” Studebit<sup>13</sup> ne adversus quempiam reperiatur ingrata, in libertate se bene vivendi et recta statuendi conservabit. Delinquentes non ita<sup>14</sup> ad desperationem persequetur, neque ita patietur, ut provocet. Deponite igitur haec nationum nomina, patres. Exuite quisque provinciarum affectiones et in medium consulite, quid<sup>15</sup> huic concilio<sup>16</sup> et quid<sup>17</sup> fidei Christianae credatis<sup>18</sup> expedire, eoque vela tendamus, quo melius res geri verisimilius existimatis<sup>19</sup>.

[14] Multa de ForoJulii<sup>20</sup> ubertate, Venetorumque potentia ac magnificentia Simon Venetus peroravit ac meo iudicio non minus vere quam eleganter. De Florentinorum vero commoditatibus Gaspar explicuit. De urbe vero<sup>21</sup> illa Avinionensi<sup>22</sup> pulcherrima atque optima et hujus sacri concilii devotissima Raimundum {3r} bellissime perorantem accepistis. Atque, ut existimo<sup>23</sup>, nihil est ab eis praetermissum, quod trahere concilium ad eorum valeat civitates.

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<sup>1</sup> Persona concilii *in marg.* A

<sup>2</sup> *omit.* K [*blank space*]

<sup>3</sup> **aut H, K, V**

<sup>4</sup> *se add.* G, MA

<sup>5</sup> *more* V

<sup>6</sup> *pacemque* G, MA

<sup>7</sup> *omit.* K

<sup>8</sup> Pictagoricum F; Pictagoricum H, V

<sup>9</sup> Pythagoras *in marg.* A, D, G, K

<sup>10</sup> *conservabit* D, G, MA

<sup>11</sup> *praecipit* G, MA

<sup>12</sup> **transcendas H, V**; *trascende* MA

<sup>13</sup> *studebis* V

<sup>14</sup> **omit. H**; *non ita : vero* V

<sup>15</sup> **quod H**

<sup>16</sup> *consilio* C

<sup>17</sup> **quod H**

<sup>18</sup> **credit** H, K, V

<sup>19</sup> **estimatis H**; *estimatis* K; *extimatis* V

<sup>20</sup> Forlivii K; Fori-Julii MA

<sup>21</sup> *omit.* V

<sup>22</sup> Ammonensi V

<sup>23</sup> *corr. ex estimo* A; **estimo H, K**; *extimo* V

[13] Let us imagine that the council is a person and consider what she should do.<sup>1</sup> If you ask her where she is from, she will not call herself Italian or French, German or Spanish, but she will insist that she is Christian and that she only desires what may benefit the Christian name.<sup>2</sup> Her task will be to remove the thorns from the field of the Lord, that is to eradicate heresy, to reform morals, and to restore peace everywhere. She will take care not to act unjustly, and she will observe the precept of Pythagoras<sup>3</sup>: “*Step not beyond the beam of balance!*”<sup>4</sup> She will take pains not to be found ungrateful towards anybody.<sup>5</sup> She will preserve her liberty to live morally and to make the right decisions. She will not pursue delinquents to the point of making them desperate, nor tolerate them to the point of encouraging them. So, Fathers, let us put aside the names of nations, let everyone free himself of local patriotism, and let us discuss instead what may serve this council and the Christian faith,<sup>6</sup> and let us set sail in the direction which is the one most likely to advance our cause.

[14] Simone of Venice has said much about the fertility of Friuli and the power and magnificence of Venice, and I consider that he has spoken both truthfully and elegantly. Gaspare has explained to us the advantages of Florence. And you have heard Raimondo speaking gracefully about the beautiful and splendid city of Avignon, a city entirely devoted to this Holy Council. In my opinion, these speakers have advanced all the possible arguments for transferring the council to their respective cities.

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<sup>1</sup> Note Piccolomini's use of the classical rhetorical device of *personificatio*

<sup>2</sup> I.e. cause

<sup>3</sup> Pythagoras (ca. 570-c. 495 BC): Greek philosopher and mathematician

<sup>4</sup> Burley, 17 (Pythagoras), p. 74: *Stateram ne transilias, id est: ne pertransgrediaris iusticiam*. Cf: *Me zygon*, in the sense: Do no injustice. *Symbols of Pythagoras*, nr 14 (recorded by Iamblichus of Chalcis), 1905, p. 65. Quoted from Guarino Veronese's translation from Greek into Latin of Plutarch's *De Liberis educandis*, p. 7: *Jugum stateramque non transcendere*

<sup>5</sup> Here Piccolomini prepares a later argument, that it would be ungrateful of the council not to accept the Duke of Milan's offer of Pavia

<sup>6</sup> Piccolomini speaks for a broad, international, i.e. European, approach to solving the problems posed by the negotiations with the Greeks. In this context, the international argument is being used to undermine the position of those speakers who had pointed to their own cities as seat of the council. On the one hand, the argument certainly had merit in itself, but on the other hand Piccolomini's clear ambition to secure an Italian venue for the council or, if possible, even a Siennese one, makes his argument somewhat specious

[15] De duce vero Mediolani, quamvis multa<sup>1</sup> Isidorus, orator vester diligentissimus, explicaverit<sup>2</sup>, neque sufficienter mea sententia<sup>3</sup> dictum videtur, neque admiratione dignum est, si ducales oratores, viri gravissimi, episcopus Albiganensis ac Christoforus de Velate<sup>4</sup>, cetera<sup>5</sup> subticuerunt. Satis namque duxerunt ad illum<sup>6</sup> principem pertinere, si requisitus responderit, si petita concesserit, si seipsum et quidquid habet obtulerit. Locorum vero comparisonem facere vestrum esse dixerunt<sup>7</sup>. Certi enim sunt illum ducem, quidquid eligatis, contentum<sup>8</sup> fore, cupere tamen, ut bene vobis concilioque<sup>9</sup> succedat.

[16] Vestrum esset<sup>10</sup> igitur<sup>11</sup>, patres reverendissimi, ducalium terrarum investigare commoditates, quod onus, postquam alii rejiciunt, ego non minus vestra quam ducis causa suscipio, de Venetorum Florentinorumque terris omnino<sup>12</sup> silens, quos adeo promptos paratosque in necessitatibus ecclesiae<sup>13</sup> comperitis<sup>14</sup>, ut laudare ipsos et amplissimis commendare testimoniis<sup>15</sup> teneamini.

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<sup>1</sup> *omit.* C

<sup>2</sup> **explicavit H, K, V**

<sup>3</sup> **neque convenienter add. H, V**

<sup>4</sup> Valete E

<sup>5</sup> ceteri K

<sup>6</sup> *omit.* K

<sup>7</sup> duxerunt K; duxerim V

<sup>8</sup> contemptum B, E

<sup>9</sup> consilioque C; **quocumque H, V**

<sup>10</sup> erat V

<sup>11</sup> *omit.* V

<sup>12</sup> oratio V

<sup>13</sup> ecce G, MA

<sup>14</sup> comperietis V

<sup>15</sup> **praeconiis H, V**; laudibus K

## 1.5. Offer of the Duke of Milan

[15] As concerns the Duke of Milan, your diligent envoy, Isidoro, had much to say. But in my opinion he did not say enough, and indeed it is not very impressive that the duke's own ambassadors, the Bishop of Albenga<sup>1</sup> and Cristoforo da Velate, both serious men, remained silent about the rest, believing it to suffice if the prince responded to the solicitations of the council, if he granted its petitions, and if he offered himself and his possessions to it. As for the comparison of the various locations, they said that this is up to you, and they are sure that the duke will be content with whatever choice you make, and that his only desire is for you and the council to be successful.

[16] So, Reverend Fathers, it is your own responsibility to assess the advantages of the ducal territories. Since others<sup>2</sup> will not assume this charge, I shall do so both for your sake and the duke's. I shall say nothing about the territories of Venice and Florence: you have already heard how eager and ready they are to provide what the Church needs, and we can only praise and extol them.

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<sup>1</sup> Matteo del Carretto: Bishop of Albenga in Liguria from 1429 to 1448. Cf. Pius II: *Orationes*, I, p. 37, n. 17

<sup>2</sup> I.e. the envoys of the duke

[17] De oblatione ducali pergo discutere, quae meo iudicio nulli est inferior, et quae, si verum fateri volumus, omnium est aliarum<sup>1</sup> causa nobisque<sup>2</sup> ad optimam optionem<sup>3</sup> permaxime necessaria. Hujus enim oblationis<sup>4</sup> locus unus<sup>5</sup> est, nisi<sup>6</sup> fallor, ubi ex sententia terminari res<sup>7</sup> possit. Et ut quod dicimus luce clarius ostendamus<sup>8</sup>, quae requirat bona electio inquirendum est. Ea<sup>9</sup> licet alii<sup>10</sup> multifariam diviserint, mihi tamen quattuor<sup>11</sup> dumtaxat desideranda videntur, quorum si aliquod desit, recte eligere nullatenus valeamus. Illis autem concurrentibus nihil periculi sit acceptareque sine controversia debeamus, quicumque locum<sup>12</sup> illa concedat<sup>13</sup>. Ea<sup>14</sup> sunt, ut locum eligatis, in quo Graecis satisfacere possitis; ut commode papa cum concilio convenire queat; ut domus victualiaque suppetant; ut securitatem libertatemque in<sup>15</sup> loco habeatis electo. Quae omnia, si quis<sup>16</sup> sine passione consideret<sup>17</sup>, in urbe Papiensi ducalique territorio suscipiet<sup>18</sup>.

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<sup>1</sup> alia K

<sup>2</sup> nobis K

<sup>3</sup> **optationem H**

<sup>4</sup> oblationibus E

<sup>5</sup> locus unus : unus locus K

<sup>6</sup> ni MA

<sup>7</sup> terminari res : res terminari K

<sup>8</sup> condamus F

<sup>9</sup> **quae requirat ... ea : quas res boni loci exigat electio trutinemus, quas H, V** [V has trutinemus instead of trutinemus]; **quas res bona exigat electio trutinemus, quas K**

<sup>10</sup> alia B, E

<sup>11</sup> **mihi tamen quattuor : quatuor mihi H, K, V**

<sup>12</sup> locus K

<sup>13</sup> debeamus quicumque locum illa concedat : debemus quemcumque locum illa concedat **H**; debemus quicumque locum illa concedat **V**; debeamus quicumque locum illa concedat **A**; locum debeamus quicumque illa concedat **B, C, D, E, F**; debeamus quicumque illa concedat **G** [NB: there seems to be some kind of grammatical error in **H** (Original Version) which the later texts, **V, A**, and **B/C/D/E/F**, attempt to correct in different ways. It is significant that the **B/C/D/E/F**-solution differs from **A** which points to the possibility of **B, C, D, E, F** deriving from another (now lost or unknown) manuscript than **A**]

<sup>14</sup> Divisio requisitorum quadripartita in marg. A, F, K

<sup>15</sup> omit. C

<sup>16</sup> **recte si quis add. H, K, V**

<sup>17</sup> **considerat H, V**

<sup>18</sup> suscipiet B, E

## 1.6. Criteria for choosing the venue of the council

[17] I now proceed to discuss the duke's offer, which – as I see it - is in no way inferior to all the other offers made. In truth, it is actually their cause,<sup>1</sup> and it is, indeed, very important for making the right choice. Unless I am mistaken, the venue offered by the duke<sup>2</sup> is definitely a place where our matter may be brought to the desired conclusion.

To explain more clearly what I am saying, I shall now examine the criteria for a good choice. Others have established a comprehensive set of such criteria, but personally I think that there are only four requirements: if just one of them cannot be fulfilled, the venue in question is unsuitable, but if all four requirements are fulfilled, there is no risk, and we may without controversy accept the venue which meets them.

The criteria for a suitable venue are that

- it is acceptable to the Greeks;
- it is convenient for the pope meeting with the council;
- accommodations and provisions are available;
- and there is security and independence.

If one considers the matter dispassionately, all these conditions are met by the city of Pavia and the duke's lands.

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<sup>1</sup> The offer made by the Duke of Milan may have provoked the other North Italian states to make similar offers out of fear or general rivalry

<sup>2</sup> I.e. Pavia

[18] Prioremque<sup>1</sup> rem, si placet, examinemus, cuius tria sunt membra: ut locus in decreto aut nominetur aut comprehendatur; ut pecuniae necessariae praesto sint; ut trieriae<sup>2</sup> grossae subtilesque habeantur trecentique<sup>3</sup> arcitenentes, sive, ut vos dicere soletis, balistarii.

[19] Contineri vero<sup>4</sup> Papiam in decreto nemo ambigit, cum omnes fere Italiae<sup>5</sup> urbes sint eligibiles, nisi quas Graeci expresse<sup>6</sup> repudiarunt. Atque ut clarius disseramus difficultatem istam<sup>7</sup> locorum, nonnisi Graecorum causa facimus<sup>8</sup>, ut illum eligamus locum, quem repudiare Graeci non debeant. Sed ipsi jam terras ducis suis litteris petiverunt<sup>9</sup>. Ergo nil<sup>10</sup> est cur Papiam in hac parte contemnamus, Graecisque<sup>11</sup> debemus non parum auscultare

---

<sup>1</sup> Subdivisio ... rebus *in marg.* A; Subdivisio trimembris K

<sup>2</sup> Trieriae triremes *in marg.* D, G

<sup>3</sup> **tricentique H**

<sup>4</sup> non K

<sup>5</sup> **Italicae H, V**

<sup>6</sup> expressi D, G

<sup>7</sup> **difficultatem istam : difficultates istas H, V**

<sup>8</sup> *Textus corruptus*

<sup>9</sup> petierunt G, MA

<sup>10</sup> nihil B, K, MA

<sup>11</sup> Graecis F

## 2. Pavia is acceptable to the Greeks

[18] Let us now examine the first requirement. It consists of three parts:

- the location must be mentioned in or covered by the decree;<sup>1</sup>
- the necessary funds must be available;
- large and light triremes<sup>2</sup> must be available as well as 300 archers (you usually employ the term *balistarii*).<sup>3</sup>

### 2.1. Pavia is covered by the decree of the Council

[19] Nobody doubts that Pavia is covered by the decree since all Italian cities are eligible except those that have been expressly rejected by the Greeks. To be quite clear on this difficulty concerning the venues: it is only because we are acting in the interests of the Greeks that we must choose a location which they cannot reject. And in their letter, the Greeks themselves already asked for the territories of the Duke so in this respect we have no reason to reject Pavia: we should listen carefully to the Greeks.

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<sup>1</sup> I.e. the decree of the Council, *Sicut pia mater*, of September 7, 1434

<sup>2</sup> Trireme: a galley, developed by the ancient Greeks as a warship, with three banks of oars on each side

<sup>3</sup> In a letter to Siena of 25 October 1436, Piccolomini had written: *Indiget ut scitis concilium ingenti pecuniarum summa, opusque est secundum pacta cum Grecis facta ... misisse ad Grecos duas galeas subtiles et totidem grossas trecentosque arcitenentes siue, ut aiunt, balistarios* (Piccolomini: *Epistolarium*, ep. 22, p. 57)

[20] neque {3v} enim sine ratione moventur, scientes duces cum Turcis<sup>1 2</sup>, unde vetustissimam trahit originem, haereditariam<sup>3 4</sup> habere familiaritatem, quod salva fide vituperari non potest. Idcirco timens Romeorum imperator<sup>5</sup> ne se absente Constantinopolim Turci<sup>6</sup> obsideant, credit duces unis litteris periculo obviaturum, si Turcorum<sup>7</sup> principi scripserit, Graecos non alia quam fidei causa Italiam petisse<sup>8</sup>, de qua ille salvo imperio non curat, crederetque duci ista scribenti, aliis forte non item, a quibus tamquam hostibus dari sibi verba<sup>9</sup> existimaret et se dolis circumventum opinaretur. Nec illud est non considerandum: Graecos<sup>10</sup> fere omnes imperio Turcorum<sup>11</sup> esse subjectos, curareque ne quam rebellionis suspicionem ingerant dominis, a quibus profecto<sup>12</sup> impedirentur<sup>13</sup>. Nec<sup>14</sup> invitis Turcis<sup>15</sup> deducere Graecos quisquam poterit.

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<sup>1</sup> **Trojanis H, V; Teucris K**

<sup>2</sup> Teucris *in marg.* K

<sup>3</sup> unde ... haereditariam *omit.* E

<sup>4</sup> Philippus originem unde *in marg.* D, G

<sup>5</sup> Romeorum imperator *in marg.* A, K

<sup>6</sup> Teucris K

<sup>7</sup> **Thurcorum corr. ex Teucrorum H; Teucrorum K, V**

<sup>8</sup> petiisse MA

<sup>9</sup> dari sibi verba : sibi verba dari G, MA

<sup>10</sup> Graecorum K

<sup>11</sup> Teucros K

<sup>12</sup> **profectio H, K, V**

<sup>13</sup> **impediretur H, K, V**

<sup>14</sup> neque K

<sup>15</sup> Teucris K

## 2.2. Attitude of the Turks

[20] They are indeed acting with good reason since they know that the duke is a descendant of the Turks<sup>1</sup> of old.<sup>2</sup> Thus, he is related to them by a hereditary bond which cannot be disclaimed in good faith. The Byzantine<sup>3</sup> Emperor<sup>4</sup> fears that the Turks will lay siege to Constantinople in his absence,<sup>5</sup> but because of that relationship he believes the duke may remove the risk by writing a letter to the Prince of the Turks stating that the Greeks would be coming to Italy purely in a matter of our Faith. As long as his own power is safe, the Turk is indifferent to the matter of the Christian Faith,<sup>6</sup> and he would believe the duke writing to him to this effect. Others the Turk might not believe, as he would consider their words as coming from enemies and think that he was being deceived. It must also be kept in mind that almost all Greeks<sup>7</sup> are subject to the power of the Turks. Therefore We must take pains to avoid that their overlords might suspect a revolt and prevent their departure. For, indeed, no one can bring over<sup>8</sup> the Greeks against the will of the Turks.

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<sup>1</sup> Interestingly, in this very early text Piccolomini follows the thesis that the Turks originate from the Trojans, a thesis that he later vehemently – and correctly - rejects, see Helmroth: *Pius*, p. 106-107

<sup>2</sup> In the style of the times, a classical genealogy had been constructed for the house of the Visconti, making them the descendants of the Trojans. Piccolomini probably knew about this genealogy from Andrea Biglia, cf. the Introduction. If both the contemporary Turks and the Visconti descended from the Trojans, they are related through their common forefathers, and Piccolomini therefore claims that this family bond will make the Turks trust the Visconti Duke. The claim is, of course, completely preposterous, and it is doubtful that any educated person in the assembly would have believed it. See Pius II: *Orationes*, I, p. 36, note 8

<sup>3</sup> "Romeorum"

<sup>4</sup> Johannes VIII Palaiologos (1392 - 1448): Second last Greek Roman emperor, from 1425 to his death

<sup>5</sup> As well he might, in view of the expansionist policies of the Turks and their former attacks on Constantinople

<sup>6</sup> An early reference by Piccolomini to the religious toleration practiced by the Turks

<sup>7</sup> Outside the area around immediately around Constantinople

<sup>8</sup> Or: bring back the Greeks [to union with the Latin Church]

[21] Magnum est imperium Turcorum<sup>1 2</sup>, ingentes Asiaticorum vires, et opes ipsae florentissimae, qui ex Asia in Europam imperium prorogarunt<sup>3</sup> totamque Graeciam occuparunt<sup>4</sup> tamquam Troianae ultores<sup>5</sup> ruinae,<sup>6</sup> quos Graecia pellere non unius civitatis aut domini, sed totius esset Christianitatis opus. Non vis, sed gratia<sup>7</sup> Graecos det nobis<sup>8</sup> oportet. Ferunt Turci<sup>9</sup>, ut de fide - ut lubet<sup>10</sup> - Argolici sentiant, ideoque fidei causa patientur ad concilium proficisci, si nihil contra se machinari, nullasque ordiri sibi fraudes suspicentur. Ad fugiendas ergo suspiciones ducis<sup>11</sup> efflagitant urbes, quem<sup>12</sup> sibi nullo pacto suspectum Turci<sup>13</sup> arbitrentur. Nec Constantinopolitanos invito Turco<sup>14</sup> venire posse negaverim, sed aliorum etiam habenda est<sup>15</sup> ratio parentium Turcis<sup>16</sup>, quos secum trahendos patriarcha confidit. Quo fit, ut Graecorum<sup>17</sup> causa Papia sit maxime accommoda.

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<sup>1</sup> De imperio Teucrorum *in marg.* A, K

<sup>2</sup> Teucrorum K

<sup>3</sup> prorogavit V

<sup>4</sup> occupavit V

<sup>5</sup> occultores A; ultores B, C, E, F, H, K, V; cultores D, G, MA

<sup>6</sup> Ruina Troiana *in marg.* A

<sup>7</sup> Grecia F

<sup>8</sup> Graecos det nobis : det nobis Graecos G, MA

<sup>9</sup> Teucris K

<sup>10</sup> **libet H; omit. V**

<sup>11</sup> **Mediolani add. H, V**

<sup>12</sup> quas V

<sup>13</sup> Teucris K

<sup>14</sup> Teucro K

<sup>15</sup> etiam habenda est : habenda est etiam K

<sup>16</sup> **parentium Turcis omit. H, V; Teucris K**

<sup>17</sup> **certorum H** [NB: V agrees with Intermediate and Final Version]

[21] For great is the realm of the Turks,<sup>1</sup> immense is the power of the Asians, and enormous their riches. They have extended their empire from Asia<sup>2</sup> to Europe,<sup>3</sup> and they have occupied the whole of Greece as if they were the avengers of the destruction of Troy. To expel them from Greece would not be the task of a single city or state, but of the entire Christian world.<sup>4</sup> Only [God's] grace – not force – can give us the Greeks. The Turks tolerate that the Argolians<sup>5</sup> have whatever religious beliefs they want. Therefore, they will allow them come to a council in a religious matter, but only if they do not suspect any deception or intrigue.<sup>6</sup> In order to allay their suspicions, the Greeks ask for the cities of the duke whom they think the Turks will not suspect. I do not deny that the Constantinopolitans would be able to come against the will of the Turks, but we must also take into account those other people<sup>7</sup> who are subjects of the Turk and whom the Patriarch<sup>8</sup> intends to bring with him. In conclusion, as far as the Greeks are concerned, Pavia is a most appropriate choice.

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<sup>1</sup> I.e. the Ottoman Turks whose rulers eventually conquered the entire Byzantine Empire and a large part of the Mediterranean world and became a serious threat to Europe

<sup>2</sup> i.e. Asia Minor

<sup>3</sup> Note the use of the term "Europe" as a geopolitical term

<sup>4</sup> This passage is an early expression of what would be a lifelong and major concern of Piccolomini/Pius: the war and crusade against the Turks to save Europe and Christianity. Piccolomini may very well have picked up the notion of a common European military campaign against the Turks from Filelfo when, during his wandering years, he heard him lecturing in Florence (cf. Meserve: *Nestor*)

<sup>5</sup> i.e. the Greeks

<sup>6</sup> This view is completely naïve: the Constantinopolitans wanted Church Union with the Latins not for theological reasons, but in order to obtain financial and military help in the losing battle against Turkish expansion. The Turks would have been aware of this fact, so it is quite surprising that they eventually allowed the Greeks under their control to accompany emperor and patriarch to the council

<sup>7</sup> Greek theologians and bishops from those areas outside of Constantinople already conquered by the Turks

<sup>8</sup> Josephos II (1360-1439): Patriarch of Constantinople from 1416 to his death

[22] Nonnulli<sup>1</sup> tamen ad terras, inquit, si ducis eatur, non permissuros Venetos<sup>2</sup> Graecis transitum Genuensesque obstaturos<sup>3</sup> ganniunt<sup>4</sup>, quod de florentibus illis civitatibus, duobus<sup>5</sup>, ut<sup>6</sup> ita dixerim, Christianitatis luminibus, nefas est non solum dicere, sed suspicari, quae solae nos ab orienti<sup>7</sup> defendunt, quae barbaricos reprimunt impetus, quae terras<sup>8</sup> Christianorum ab incursione tutantur infidelium, quae<sup>9</sup> plurimas non dico urbes, sed provincias in media Barbariae<sup>10</sup> bello armisque tenent. Hasne igitur civitates, arma assidue<sup>11</sup> pro fide gestantes, venientibus ad unionem Graecis putabimus obstaturas? Nec bonus est, qui ista dicit, neque prudens, qui illa credit.

[23] Ego tam<sup>12</sup> Venetos quam<sup>13</sup> Genuenses omnia porrecturos opinor auxilia, quibus rem hanc conficiatis, quocumque concilium transferatis. Nec<sup>14</sup> de Venetis ambigo<sup>15</sup>, quorum salvum conductum habetis. Genuenses vero brevi se missuros<sup>16</sup> dixere<sup>17</sup>. Interim {4r} devotas et benevolentiae plenas miserunt epistolas vestris sese jussibus committentes, qui etiam magna classe, quando oporteret, huic se rei propriis cum corporibus exhiberent. Nihil itaque timeo obstaculi, nihil violentiae Graecis fieri, nisi Turci<sup>18</sup>, ut jam praedixi, molesti sint. Christianorum vero neminem neque<sup>19</sup> scio neque puto<sup>20</sup> ita scelestum<sup>21</sup>, ita iniquum, ita bonorum omnium {140v} perversorem, ut huic se negotio opponat.

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<sup>1</sup> De Venetis et Genuensibus *in marg.* A, K

<sup>2</sup> ventos F

<sup>3</sup> obstituros MA

<sup>4</sup> *omit.* K; garriunt V, MA

<sup>5</sup> duabus K

<sup>6</sup> non K

<sup>7</sup> oriente C

<sup>8</sup> **terram H**

<sup>9</sup> infideliumque D, G, MA

<sup>10</sup> Barbaria E, G, H, MA

<sup>11</sup> **dietim H, K, V**

<sup>12</sup> *omit.* E

<sup>13</sup> tamquam E

<sup>14</sup> neque K

<sup>15</sup> amgibo A; angibo F

<sup>16</sup> se missuros : missuros se G, MA

<sup>17</sup> dixisse F

<sup>18</sup> Teucri K

<sup>19</sup> nequam V

<sup>20</sup> neque puto *omit.* E

<sup>21</sup> **scelestem H, K, V**

### 2.3. Attitude of Genoa and Venice

[22] Some people claim that if you go to the duke's territories, the Venetians will forbid the Greeks to pass through their territory. And they murmur<sup>1</sup> that the Genoese,<sup>2</sup> too, will oppose this choice. To say, nay just to think thus about these flourishing Christian cities, two lights of Christendom, is a gross injustice. These two cities alone protect us from the East, they defend us against the attacks of the barbarians, they protect the lands of the Christians from the incursions of the infidels, and by military force they hold many cities and even provinces in the middle of Barbary.<sup>3</sup> Shall we really believe that these two cities, fighting continuously for the Faith, would hinder the travel of the Greeks to the Union Council? No good man claims this, and no sensible man believes it.

[23] For my own part, I am convinced that both Venice and Genoa will render every assistance to your enterprise wherever you decide to transfer the council. As for the Venetians, you already have their safeconduct, and the Genoese have said that they will send theirs shortly. In the meantime they have sent devoted letters, full of goodwill and commitment to your decisions. They also say that they will make a large fleet as well as their own persons available to this cause, as needed. So, I do not fear any obstacles or that the Greeks will suffer any violence, unless the Turks make trouble, as I have already mentioned. I do not know or think that any Christian could be so wicked, so evil, and so perversely opposed to everything good that he would obstruct this matter.

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<sup>1</sup> "ganniunt"

<sup>2</sup> Genoa (Genova): capital city of Liguria. Merchant state during the Middle Age and traditional rival of Venice ... and Milan

<sup>3</sup> Here used to designate the territories held by non-Christian rulers

[24] Et quoniam aliqua de propinquitate maris et itineris brevitatem<sup>1</sup> etiam alii dixerunt, non ab re erit de hoc quoque me<sup>2</sup> pauca disputasse<sup>3</sup>. Namque, ut arbitror utque scio, ex locis, qui hodie nominantur, nullus est Graecis quam Papia<sup>4</sup> accessu facilius, nisi terrestre iter facturi sint, quo casu longe proximius habent Utinum<sup>5</sup>. Mari autem venientes Papiam habent propiorem<sup>6</sup>, sive enim<sup>7</sup> Utinum, sive Papiam postulent, Ravennae<sup>8</sup> prius fretum secaturi<sup>9</sup> sunt, quod non magis Papia<sup>10</sup> quam Utino abest. Graecis vero<sup>11</sup> Papiam petentibus ad Ravennam<sup>12</sup> Padus occurrit flumen, ut nostis, ob suam amplitudinem et poetarum carminibus et historiarum<sup>13</sup> scriptis illustre. Ex Pado<sup>14</sup> in<sup>15</sup> Ticinum<sup>16</sup> ascendent, qui ad portas urbis navigium vectitabit.

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<sup>1</sup> breviter V

<sup>2</sup> non C

<sup>3</sup> **disputare H**

<sup>4</sup> Papia *in marg.* A, K

<sup>5</sup> Utinum *in marg.* A, K

<sup>6</sup> **propiorem H, K**; priorem V

<sup>7</sup> *omit.* E

<sup>8</sup> Ravenna *in marg.* A, K

<sup>9</sup> secuturi E; sequuturi K

<sup>10</sup> Papiam E

<sup>11</sup> autem V

<sup>12</sup> ad Ravennam *omit.* G, MA

<sup>13</sup> historiam B, E

<sup>14</sup> Pado *in marg.* A, K

<sup>15</sup> *omit.* V

<sup>16</sup> Ticinum *in marg.* A, K

## 2.4. Pavia's distance from the sea

[24] Since others have talked about proximity to the sea and the short travel distance, it will be appropriate if I, too, comment briefly on this matter. For I think and know that of the places mentioned today none is easier for the Greeks to reach than Pavia<sup>1</sup> – unless they travel over land in which case Udine is far closer. But if they arrive by sea, Pavia is the nearest. For whether they prefer Udine or Pavia, they must first cross over to Ravenna, which is not farther from Pavia than from Udine. If the Greeks travel to Pavia, they will encounter the River Po<sup>2</sup> which - as you know - is famed for its size in the songs of poets and the writings of historians. From the Po they will travel up the Ticino River until their ship reaches the gates of the city of Pavia.

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<sup>1</sup> Pavia: formerly capital of the Kingdom of the Lombards. At the time it was the second largest city in Lombardy, ca. 35 km. south of Milan. First seat of the preceding Council of Pavia/Siena, 1423-1424

<sup>2</sup> Po: the largest river in Northern Italy. Piccolomini may have been referring to Po di Primaro, a deltaic branch of the Po River which no longer carries water

[25] Portus vero Pisanus<sup>1</sup> longe remotior est, Charybdim namque Scyllamque<sup>2 3</sup>, per quas dubius est transitus, evitantibus<sup>4</sup> Graecis totus Sicaniae<sup>5</sup> circuendus<sup>6</sup> est orbis, cujus, si qua veteribus<sup>7</sup> fides, non minus quingentis millibus passuum clauditur ambitus. Neque mihi ob hanc rem Florentinus<sup>8</sup> quisquam<sup>9</sup> succenseat<sup>10</sup>, neque enim hoc ideo dico, quod illi amplissimae urbi memorabilique populo concilium auferre velim, cujus tanta erga concilium cognita est<sup>11</sup> caritas, ut nullius magis stupeam oblationes, qui prima requisitione tantam pecuniarum summam tam effuse promiserit<sup>12</sup>, ut illius etiam<sup>13</sup> populi majora in posterum sperare<sup>14</sup> beneficia debeatis. Sed ne caeci omnino et rerum videamur<sup>15</sup> ignari, hoc enim, quod dico, carta illa<sup>16</sup> edocet, qua uti<sup>17</sup> nautae consueverunt. Haec tamen semper ego parvifeci: iter namque duorum triumve<sup>18</sup> dierum nulli<sup>19</sup> dare aut auferre concilium debet.

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<sup>1</sup> Portus Pisanus *in marg.* A, K

<sup>2</sup> Scilla Caribdim *in marg.* A, K

<sup>3</sup> Graecis *add. A [Example of A corrected by other mss.]*

<sup>4</sup> **euntibus H**; civibus V

<sup>5</sup> Sicania *in marg.* A, K

<sup>6</sup> circumeundus MA

<sup>7</sup> vertentibus K

<sup>8</sup> Florentinis K

<sup>9</sup> quispiam G, MA

<sup>10</sup> sue censeat K

<sup>11</sup> cognita est : est cognita G, MA

<sup>12</sup> **promiserunt H, V**

<sup>13</sup> **et H, V**

<sup>14</sup> **spectare H, V**

<sup>15</sup> videamini V

<sup>16</sup> *omit.* F

<sup>17</sup> qua uti : quanti K

<sup>18</sup> termine V

<sup>19</sup> **ulli H**

## 2.5. Alternative route south of Sicily

[25] But the seaport of Pisa is much farther away. If the Greeks [take that route,] they will avoid [the Strait of] Scylla and Charybdis<sup>1</sup> through which the passage is unsafe and sail all around Sicily whose circumference - if the ancients are to be believed - measures at least 500.000 *passus*.<sup>2</sup> No Florentine needs to be angry with me on this score<sup>3</sup> for I do not point out this fact in order to rob their splendid city and famous people of the council: their devotion to the council is well-known and great, and they have made a truly remarkable offer. Already at the time of the council's first request, they promised such a large amount that you may hope for even greater favours from this people in the future.<sup>4</sup> But so that we may not appear to be completely blind and ignorant: what I am saying<sup>5</sup> is evident from the maps commonly used by seamen.<sup>6</sup> On the other hand, I do not attach great importance to this question as the council should not be given<sup>7</sup> or taken away depending on whether the travel takes three or four days more.

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<sup>1</sup> Scylla and Charybdis: two mythological sea monsters, which tradition placed on each side of the Messina strait

<sup>2</sup> Passus: Roman measure of distance, ca. 1.5 meter

<sup>3</sup> Piccolomini points out that if the council were to be held in Florence, the Greeks would then have to take the longer sea route South of Sicily

<sup>4</sup> Does Piccolomini really believe this, or is he subtly dropping poison into the ears of the council fathers?

<sup>5</sup> I.e. about the passage south of Sicily to Pisa

<sup>6</sup> An early reference to nautical charts, probably a "portolan"

<sup>7</sup> To a city

[26] Illud vero<sup>1</sup> cavendum est, illudque prospiciendum, ne repudiari a Graecis locus possit. Nec ineleganter homo prudentissimus Gaspar dicebat: quae<sup>2</sup> Graecis promisistis diligentissime adimplenda, qui vel si<sup>3</sup> unum iota diminutum invenerint<sup>4</sup>, licitam se judicarent<sup>5</sup> excusationem habere. Sed illud praecipue ponderat, ut pecuniae habeantur ac navigia, quas res utrum ex duce<sup>6</sup> obtinueritis, Isidorus ipse plenissime demonstravit: quo ex Mediolano reverso, expendite<sup>7</sup> quaeso, an diminutas habueritis {4v} responsiones, an aliquid non obtinueritis, an ulla in re difficilem principem experti fueritis?<sup>8</sup> Quinque et octuaginta millia ducatorum<sup>9</sup> mutuo flagitastis<sup>10</sup>, bono vultu, bonoque animo annuit; terras arcesque consignari vobis<sup>11 12</sup> requiritis<sup>13</sup>, nulla fit resistentia; duas<sup>14</sup> de quadraginta domos sine pensione petitis<sup>15</sup>, concedit facile quod fuerat sine petitione facturus; taxationes domorum victualiumque postulatis<sup>16</sup>, respondet non minus grate quam liberaliter<sup>17</sup>. Quidquid denique vultis, publico ille sollemnique chirographo completurum se obligat. O regalem animum, o liberalem principem, o inauditam magnificentiam! Hic est, quem requiris, Enni<sup>18</sup>: *Amicus certus in re<sup>19</sup> incerta<sup>20</sup> cernitur*. Talis certe ducalis responsio fuit, ut nulla suppletione<sup>21</sup> indiguerit, nullo adjumento, nulla rescriptione, cujus locum, si statim elegissetis<sup>22</sup>, statim erant parata omnia. Utrum alii sic fecerint, vos videritis.

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<sup>1</sup> illudque *corr.* ex illud vero G

<sup>2</sup> qui V

<sup>3</sup> **vel si : si vel H, K, V**

<sup>4</sup> **invenirent H, K, V**

<sup>5</sup> indicarent G, MA

<sup>6</sup> ex duce *omit.* K

<sup>7</sup> **expedite F, H, V**

<sup>8</sup> Oblationes ducis *in marg.* A

<sup>9</sup> millia ducatorum : ducatorum milia K

<sup>10</sup> flagitatis C

<sup>11</sup> arcesque consignari vobis : vobis arcesque consignari G, MA

<sup>12</sup> **consignari vobis : vobis consignari H**

<sup>13</sup> **requisivistis H, V**

<sup>14</sup> **decem H, K, V**

<sup>15</sup> **petivistis H, V**

<sup>16</sup> **postulastis H, V**

<sup>17</sup> libenter K, V

<sup>18</sup> Ennius *in marg.* A; Ennius de amico *in marg.* D, G

<sup>19</sup> *omit.* K

<sup>20</sup> *em.*; certa codd.; incerta MA [*Error either due to Piccolomini himself, or to some scribe*]

<sup>21</sup> suppletore V

<sup>22</sup> eligissetis F

## 2.6. Availability of funds

[26] In any case, we must take great pains to avoid that the Greeks may reject the venue for the council. As the wise Gaspare put it very appropriately: your promises to the Greeks must be fulfilled exactly - if they find that just one *iota* has been taken away, they will claim that they have legitimate excuse.<sup>1</sup> It is crucial that they be provided with funds and ships. Both of these may be had from the duke, as Isidoro<sup>2</sup> has amply demonstrated. For were the offers he brought back from Milan in any way reduced? Was there anything you did not get? Did the prince make difficulties on any point whatsoever? You asked for a loan of 85.000 ducats: he granted it with good grace. You required that certain territories and fortresses be consigned to you: there was no objection. You asked for 38 houses free of charge: he gave it readily, and you would not even have had to ask for it! You demanded price controls for lodging and victuals: he answered gracefully and generously. And finally he committed himself to confirm everything you wish in a public and solemn document.<sup>3</sup> Oh regal soul Oh generous prince! Oh extraordinary munificence! This is the one you want, Ennius<sup>4</sup>: *When fortune is fickle the faithful friend is found.*<sup>5</sup> Such was the duke's reply that no supplementary information was needed, no corroboration, and no further correspondence. If you choose his place now, all will be ready immediately. Consider whether others have done as much.

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<sup>1</sup> I.e. for not coming or for increasing their demands

<sup>2</sup> Isidoro da Rosate

<sup>3</sup> "chirographo"

<sup>4</sup> Quintus Ennius (ca. 239 - ca. 169 BC): Roman poet

<sup>5</sup> Johannes Vahlen: *Ennianae poesis reliquiae*. 1903. Fragment 210, p. 155. Quoted in Cicero: *De amicitia*, 17.64

[27] Unumque, obsecro, hic advertite, an cautio subdifficilis, an gravia postulentur assignamenta. Non essem, Hercule, increpandus, si hunc principem nullam petere cautionem dixerim. Hujusmodi enim, quae petitur cautio, non est cautio, sed magis appellanda<sup>1</sup> donatio. Ex indulgentiis reddi sibi mutuuum petit<sup>2 3</sup>, ut si nihil indulgentiae<sup>4</sup> reddant, nihil recuperet. Hic est verus filius, verus servitor, verus amicus vester<sup>5</sup>. Haec est illa, quam quaerit multis in locis Tullius<sup>6</sup>, amicitia: *Amor*, inquit ille, *ex quo amicitia nominata est, princeps est ad benevolentiam conjungendam*. In amicitia autem nihil est fictum, nihil<sup>7</sup> simulatum. Sed quidquid<sup>8</sup> id est verum et voluntarium, quemadmodum in hac ducis cernimus<sup>9</sup> benevolentia, quem si quis vobis neget amicum<sup>10</sup>, cunctos quippe faciat inimicos. Cujus tanta est affectio, tantaque in hunc coetum caritas, ut vestrarum nullam petitionum<sup>11</sup> abnuat<sup>12</sup> pecuniasque magis donet, quam mutuo dedat.

[28] Jamque propter pecunias nihil est, quod Papias objiciatis<sup>13</sup>. Nec illos audio, qui se aureos affirmantes omnibus se Christicolis jactitant ditiores, magnumque auri et argenti pondus habere se<sup>14</sup> gloriantur. Quorsum enim illa dicuntur<sup>15</sup>? Forsitan quia vendi concilium putant, ut plus offerenti veneat<sup>16</sup>? Quod probri loco vitandum detestandumque est, ne venditum vulgo concilium dicant. Unum tamen persuasum volo, quod<sup>17</sup> ducem scilicet<sup>18</sup> ipsum, ubicumque sit opus, quascumque petieritis, daturum esse pecunias neque necessitatibus vestris umquam defuturum. Namque ut volet, sic etiam poterit invenire pecunias. Habet enim, ut scitis, urbem Mediolanum non solum populosissimam<sup>19</sup>, verum etiam pecuniosissimam<sup>20</sup>, ubi totius Galliae togatae cumulati thesauri sint<sup>21</sup>, ex qua nulla non<sup>22</sup> possit haberi summa pecuniarum.

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<sup>1</sup> **appellitanda H**; applicanda K

<sup>2</sup> peti K

<sup>3</sup> reddi sibi mutuuum petit : petit sibi mutuuum reddi MA

<sup>4</sup> petant *add.* V

<sup>5</sup> **omit. H, V**

<sup>6</sup> Tullius *in marg.* A, D, G, K

<sup>7</sup> **est add. H**; nil est K

<sup>8</sup> **est add. H, K, V**

<sup>9</sup> ducis cernimus : cernimus ducis K

<sup>10</sup> *omit.* K

<sup>11</sup> petitionem G

<sup>12</sup> petitionum abnuat: abnuat petitionum B, E

<sup>13</sup> abiciatis K

<sup>14</sup> habere se : se habere D, E, G, MA; **omit. H, V**

<sup>15</sup> ducuntur F

<sup>16</sup> veniat V

<sup>17</sup> *omit.* K, MA

<sup>18</sup> **omit. H, K, V**

<sup>19</sup> **solum populosissimam : populissimam solum H, V**

<sup>20</sup> verum ... pecuniosissimam *omit.* E

<sup>21</sup> **sunt H**

<sup>22</sup> *omit.* E, K

[27] And please take note of this: did the duke require an onerous caution or burdensome sureties?<sup>1</sup> By Hercules, had I said that the prince did not demand any surety at all, I should not be blamed, for the surety he has asked for is not really a surety, but should rather be called a donation! He has asked that the loan be repaid out of the [revenue from the sale of] indulgences<sup>2</sup> so that if there are no such revenues he will not be repaid. This is your true son! This is your true servant! This is your true friend. This is the friendship which Tullius<sup>3</sup> mentions in many places and about which he says: *It is mainly love (amor), from which the word "friendship" (amicitia) is derived, that leads to the establishing of goodwill.*<sup>4</sup> In friendship nothing is pretence, nothing is simulated. Everything is genuine and everything is voluntary, as illustrated by the duke's benevolence towards you. If anyone denies that the duke is your friend, then indeed he makes everybody your enemy. The duke's affection and devotion to this assembly are so strong that he will agree to all your requests and rather grant money than loans.

[28] So, when it comes to funding, there can be no objection to Pavia. And I will not listen to those who claim that they are "golden" and richer than all other Christians, or those who boast that they have a large amount of gold and silver. Why are they saying that? Do they think that the council is up for sale and will go to the highest bidder? This shame must be avoided and abhorred so that people will not say that the council has been sold.<sup>5</sup> I just want to convince you of this one thing: the duke will assist you financially whenever needed and whatever you ask for, and he will never fail you in your need. For he can get all the funds he wants. Not only is his city of Milan very populous - as you well know - but it is also very rich. All the treasures of *Gallia Togata*<sup>6</sup> are accumulated there so that he may gather any sum needed.

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<sup>1</sup> I.e. caution for the loan to the council

<sup>2</sup> Cf. Pius II: *Orationes*, I, p. 36, n. 9. Cf. also letter of 25 October, 1436 to Siena: *Dux enim Mediolani concilium petens omnem pecuniarum summam oportunitate concessurum se pollicetur neque aliam cautionem petit nisi ut semidecimarum indulgentiarumque collectores sibi respondeant* (Piccolomini: *Epistolarium*, ep. 22, p.58)

<sup>3</sup> I.e. Cicero

<sup>4</sup> Cicero: *De amicitia*, 8.26

<sup>5</sup> Which would be the sin of simony. Cf. letter to Siena of 6 August, 1436: *si patres de concilio res huiusmodi venales haberent et plus offerenti concederent* (Epistolarium, letter 21)

<sup>6</sup> Gallia togata: Togate Gaul, i.e. the region between the river Po and the Alps = Cisalpine Gaul = Northern Italy

[29] At si de populo illo Mediolanensi<sup>1</sup> {5r} volumus verum dicere, nullum ego devotio-rem vidi<sup>2</sup>, nullum fideiorem, nullum suo principi oboedientio-rem, nullum denique meliorem, ob cujus, ut arbitror, bonitatem ac sanctimoniam divino munere actum est, ne illam urbem nostris diebus pestifera lues invaserit, cui populo nihil erit gratius quam in sanctissimum usum effudisse pecunias. Nec<sup>3</sup> credite illum munificentissimum principem ob<sup>4</sup> defectum pecuniarum rem dimissurum, qui non habendi concilii cupiditate argentum modo<sup>5</sup> pollicetur, sed ne quod<sup>6</sup> caritate pecuniae in dedecus prolaberemini. Dat ergo, ut satis est, Papia pecuniarum.

[30] De navigio<sup>7</sup> non magnam vim facio. Vestro enim, ut scitis, sumptu conducendae armandaeque sunt triremes, nec dissimiliter balistarii, neque tam grandis pecuniarum modo<sup>8</sup> <sup>9</sup> quantitas petitur, nisi ut navigio balistariisque sufficiat. Depositis enim decem millibus apud Constantinopolim, Graecisque datis<sup>10</sup> XV millibus, viatico quoque oratoribus concilii praestito, quod superest in naves longas, balistariosque dispensabitur, quos conducere ubique poteritis: habentibusque pecunias neque balistarii<sup>11</sup> deerunt neque navigia. Jamque illum Sabaudiensem<sup>12</sup> spectata virtute militem vobis navigia offerentem vidistis, suosque labores promittentem<sup>13</sup>, cujus nobilitas, animique perspicua generositas non est huic<sup>14</sup> inepta negotio. Quare<sup>15</sup> sive istas, sive alias multis in locis conducere naves poteritis.

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<sup>1</sup> De Mediolanensibus A; De populo Mediolanensi *in marg.* K

<sup>2</sup> **unquam add. H, K, V**

<sup>3</sup> ne MA

<sup>4</sup> ad C

<sup>5</sup> *omit.* K

<sup>6</sup> *omit.* B, E

<sup>7</sup> De navigio *in marg.* A, K

<sup>8</sup> *omit.* G, MA

<sup>9</sup> pecuniarum modo : modo pecuniarum K

<sup>10</sup> *omit.* F

<sup>11</sup> **vobis add. H, V**

<sup>12</sup> Sabaudiensem C

<sup>13</sup> **promittere H, V**

<sup>14</sup> *omit.* K

<sup>15</sup> **quamquam H, V**

[29] As for the people of Milan,<sup>1</sup> truly, I have never seen a people more devoted, more faithful, and more obedient to their prince: indeed, I have never seen a better one. I believe that it is because of their goodness and faith that, by the grace of God, their city has not been infested with the plague in our days. Nothing would be more welcome to that people than to spend money in your holy cause. Do not believe that this munificent prince will give up the matter later due to lack of money: he promises money not because he wants to have the council, but because he wants to spare us the embarrassment of lacking money. In conclusion: the solution of Pavia will provide enough funding.

## 2.7. Availability of ships

[30] I shall not go deeply into the matter of the sea voyage. As you know, the triremes and the archers are to be hired and armed at your cost, and the amount required is not large – only as much as is sufficient for the ship and the archers. You have already deposited 10,000 ducats in Constantinople;<sup>2</sup> 15,000 ducats have been given to the Greeks; and the council's orators have been given travel money. The rest will be spent on long ships and archers, and these you can hire everywhere. As you have money, you will lack neither archers nor ships. You have already seen the knight from Savoy, a man of recognized virtue,<sup>3</sup> offering ships to you and promising to work for you.<sup>4</sup> His nobleness and generous spirit are just what we need in this matter. So, therefore you can either hire his ships or you can hire other ships in many places.

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<sup>1</sup> Milan: the capital of Lombardy and a major power in Renaissance Italy

<sup>2</sup> Constantinople: Capital of the Greek-Roman Empire, founded by the Emperor Constantine in 330, present-day Istanbul. Fell to the Turks 17 years afterwards, in 1453

<sup>3</sup> "spectata virtute"

<sup>4</sup> Nicolas de Menton, governor of Nice, who spoke to the Council in the General Congregation on 9 November: *Accessit ad generalem congregationem [Nicodus] de Mentone gubernator civitatis et comitatus Niciensis pro domino duce Sabaudiae et per organum domini thesaurarii approbavit oblaciones per eundem dominum thesaurarium nomine suo pridie factas et ratificavit, offerens se ad servicia concilii in conducendo galeas pro Grecis tam ad Constantinopolim quam Pisas vel Florenciam, ubi concilium ordinaverit. De expensis necessariis refert se ad dominos de concilio (Concilium Basiliense: Die Protokolle, p. 325). On 19 November 1436, the Council's formal contract with Nicolas de Menton was read to the General Congregation, whereupon he was solemnly appointed captain [*capitaneus*] of the council's - as yet unexisting - fleet (Concilium Basiliense: Die Protokolle, p. 337; Paul Becker, p. 50)*

[31] Placet tamen duci, ne qua in parte deficiat, triremes etiam reperire, quas unde habeat aut<sup>1</sup> quomodo habeat indignum est quod vestigemus. Ratum est enim quodcumque promittit. Hoc tamen non tacebo, navium scilicet illi concessionem non esse difficilem. Siquidem magna<sup>2</sup>, ut<sup>3</sup> scitis<sup>4</sup>, cum<sup>5</sup> serenissimo ac magnanimo rege Aragonum<sup>6</sup> amicitia est, qui, suum<sup>7</sup> quemadmodum facundissime dixit orator, promptus est tam concilii quam ducis gratia praestare<sup>8</sup> navigium. Et cui, obsecro, melius haec committi res potest<sup>9</sup> quam regi Aragonum? Quis eo diligentius rem fidei pertractet, qui diu<sup>10</sup> adversus infideles bella gessit. An ignoratis regem illum catholicum et fidei zelatorem magna saepe manu magnaue classe adversus Afros, Christiani nominis inimicissimos, decertasse? Illa profecto laus illaque huic regi<sup>11</sup> gloria tribuatur Mediterraneum mare sua diligentia ab infidelibus piratis esse custoditum. Et quod magno Pompejo decori fuit, huic<sup>12</sup> etiam<sup>13</sup> concedamus honori<sup>14</sup>, cujus nisi frequenter<sup>15</sup> in pelago classica insonaret tuba, ad ipsum usque litus Etruscum, Libycae naves hostilesque classes infidelium crassarentur<sup>16</sup>. Sed timent<sup>17</sup> praestantissimum<sup>18</sup> regem Jonii, Tyrrhenique maris custodem, qui Sardiniam, Corsicam, Siciliam, Baleares ac Vulcanias insulas ab omni Saracenorum impetu liberavit: cui {5v} magis erit molestum in tanta re fidei non requiri, quam si totam ejus classem dira tempestas absorpserit. Aut igitur regiae naves compraestabuntur, aut marina aliunde vasa comperientur<sup>19</sup>. Ac de primo principalique membro satis sit dictum.

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<sup>1</sup> **et H**

<sup>2</sup> **sibi add. H, K, V**

<sup>3</sup> *omit.* G, MA

<sup>4</sup> *omit.* G, MA

<sup>5</sup> *omit.* G, MA

<sup>6</sup> De rege Aragonum *in marg.* A, K

<sup>7</sup> suus B, C, E, F, H, K; si vis V

<sup>8</sup> praeterire V

<sup>9</sup> committi res potest : committeres MA

<sup>10</sup> *dum* G, MA

<sup>11</sup> *omit.* G, MA

<sup>12</sup> *omit.* G, MA

<sup>13</sup> ejus MA

<sup>14</sup> **honorem H**; honore V

<sup>15</sup> nisi frequenter *corr. ex* frequenter nisi G; frequenter nisi MA

<sup>16</sup> grassarentur K, MA

<sup>17</sup> tamen G, MA

<sup>18</sup> paratissimum V

<sup>19</sup> comperientur F

[31] However, so as not to fail you in any way whatsoever, the duke has decided to provide triremes, too. It would be unworthy of us to inquire where and how he will obtain them, for whatever he promises holds true. Still, I shall tell you why it is easy for him to provide ships. As you know, the duke is bound in close friendship<sup>1</sup> with His most Serene and Magnanimous Highness, the King of Aragon,<sup>2</sup> who would like nothing better – as his orator stated so eloquently – than to make his ships available for the sake of the council and the duke. To whom could this matter be better entrusted than to the King of Aragon? Who would more diligently deal with this matter of the Faith than he who has fought so long against the infidels? Or do you not know that this Catholic King, zealous in matters of the Faith, often and with a large force and a large fleet fought against the Africans, inveterate enemies of Christianity? Indeed, it is his honour and glory to have, by his own efforts, made the Mediterranean Sea safe from the infidel pirates. Pompey the Great<sup>3</sup> was equally meritorious, and likewise we honour this king who frequently made his trumpets sound when the Libyan ships and the hostile fleets of the infidels roamed that very sea, even as far as to the Tuscan shore. They fear this excellent King of the Ionian Sea and Guardian of the Tyrrhenian Sea, who has freed Sardinia, Corsica, Sicily, and the Balearic and Volcanian Islands<sup>4</sup> from all attacks of the Saracens. For him it would be worse not to be asked for assistance in this great cause of the Faith than to have his entire fleet devoured by a terrible storm. In conclusion, either the king's ships will be made available to you or else ships will be provided in another manner.

I have now said enough about the first and most important part of my subject.

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<sup>1</sup> The King fell into the hands of the duke when he was defeated by the Genoese fleet in the sea battle of Ponza in 1435. The King was treated honourably by the duke, and then the two princes concluded an alliance which completely upset the political and military balance of Italy

<sup>2</sup> Alfonso V the Magnanimous (1396-1458): King of Aragon and Sicily from 1416 to his death. As King of Sicily (the island part of the Kingdom of Sicily) he had been adopted as heir to the Queen of Naples (i.e. the mainland part of the Kingdom of Sicily) in 1421 and henceforth campaigned systematically to get effective control of the mainland kingdom, which he acquired in 1442/1443

<sup>3</sup> Gnaeus Pompejus Magnus (106-48 BC): Roman general and statesman

<sup>4</sup> Islands in the Mediterranean Sea to the east of Italy

[32] Transeo<sup>1</sup> ad secundum, ubi dicebam talem esse locum oportere, ad quem commode papa<sup>2</sup> cum concilio conveniret, nec irrationabiliter. Nam cum Graecos ad unionem sitis vocaturi, dignum est vos prius<sup>3</sup> esse unitos, ne quod<sup>4</sup> schisma, ne quam divisionem, ne quam<sup>5</sup> inter vos<sup>6</sup> controversiam Graeci reperiant. Verisimile etenim est facilius reduci Graecos, si vos unanimes quam si<sup>7</sup> disjunctos agnoscant<sup>8</sup>. Neque ob hanc solum<sup>9</sup> causam, sed ut multa scandala infinitaque mala cessent, quae nostra divisio suscitavit, quam schisma non injuria<sup>10</sup> vocitabimus. Hoc<sup>11</sup> est quod regius orator Simon Caroli, vir non sapientia solum, sed eloquentia singularis, hoc in loco flagitabat enixe<sup>12</sup>, cujus verba, patres amplissimi, cum locum eligeretis, vestris debebunt insedere pectoribus, ut summe curetis posse<sup>13</sup> papam interesse.

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<sup>1</sup> Secunda pars orationis *in marg.* A, F, K; Secunda pars *in marg.* D, G

<sup>2</sup> commode papa : papa commode G, MA

<sup>3</sup> primum F

<sup>4</sup> quid K

<sup>5</sup> ne quam *omit.* K

<sup>6</sup> nos F, K

<sup>7</sup> vos *add.* G, K, MA

<sup>8</sup> cognoscant F

<sup>9</sup> solam K

<sup>10</sup> *omit.* V

<sup>11</sup> Simon Karoli *in marg.* A

<sup>12</sup> flagitabat enixe : enixe flagitabat K

<sup>13</sup> *omit.* K

### 3. Pavia is convenient for the pope

[32] I now move on to the second part.

As I said in the beginning, we need a location that is convenient for the pope to meet with the council. This is quite reasonable. For if you want to invite the Greeks to unite with you, you ought first to be united yourselves so that the Greeks will find no schism, no disunity, and no dispute between you. Obviously, the Greeks will be brought back<sup>1</sup> more easily if they find that you are of one mind than if they find that you are divided. And not just for that reason, but also in order to put an end to all the scandals and countless evils caused by our disunity - or to put it more properly: our schism. This is what the king's<sup>2</sup> ambassador, Simon Charles,<sup>3</sup> a man of singular wisdom and eloquence, urged so brilliantly in this very room.<sup>4</sup> Honourable Fathers, when you choose the venue, you should heed his words and take great care to make it possible for the pope to participate.

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<sup>1</sup> I.e. to the union with the Roman Church

<sup>2</sup> King Charles VII of France (1403-1461): ruler from 1429 to his death

<sup>3</sup> Simon Charles: counselor of King Charles VII of France, ambassador to the Council of Basel

<sup>4</sup> Simon Charles spoke for the King of France in the General Congregation of 3 November (*iterum vice regia peccit, quod eligatur locus, in quo commode dominus noster possit interesse*), see *Concilium Basiliense: Die Protokolle*, p. 320

[33] Nec<sup>1</sup> enim<sup>2</sup> sanctissimam illam<sup>3</sup> sedem Petrique verissimum successorem ac Christi vicarium debetis contemnere. Hoc est quidem caput nostrum, quod separatum esse nequaquam convenit, quod nullum sine capite corpus potest esse perfectum. Hic est sponsus ecclesiae; hic magister navis; hic, ut vulgo dicunt, in terris Deus, cui claves regni caelorum per Petrum aliosque Petri successores Christus, redemptor noster, contulit, quamquam ecclesiae quoque non inficior datas. Hujus tanta est<sup>4</sup> auctoritas, tanta potestas, tanta divinorum concessa mysteriorum cognitio, ut omni honore omnique veneratione sit dignus<sup>5</sup>, tantaeque reverentiae papalis est dignitas, ut papam, vel malum, honorare venerarique teneamur<sup>6</sup>. Neque<sup>7</sup> temnere<sup>8</sup> papam quisquam<sup>9</sup> debet, quamcumque libidinem, quodcumque nefas maturaverit, nisi prius ecclesia judicarit.

[34] Quid de praesenti summo dicemus pontifice? Esset mihi de sua nunc sanctimonia sermo, nisi magnifice oratores regii<sup>10</sup> de ipsius pietate<sup>11</sup>, mansuetudine, aequitate, justitia et bonitate<sup>12</sup> dixissent. Nos illud nequaquam inficiamur, sanctissimum<sup>13</sup> dominum nostrum in futuro concilio fore necessarium, ut non auctoritate solum, sed etiam<sup>14</sup> morum honestate proficiat<sup>15</sup>.

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<sup>1</sup> De sede apostolica *in marg.* A, K

<sup>2</sup> etiam MA

<sup>3</sup> sanctissimam illam: illam sanctissimam K

<sup>4</sup> res K

<sup>5</sup> sit dignus : dignus sit K

<sup>6</sup> Papam etiam malum veneremur *in marg.* D, G

<sup>7</sup> nec D, G, M

<sup>8</sup> **spernere H, V**

<sup>9</sup> papam quisquam : quisquam papam K

<sup>10</sup> regis G, MA

<sup>11</sup> **omit. H, V**

<sup>12</sup> **et bonitate : pietate H, V**

<sup>13</sup> sed K

<sup>14</sup> **vitae et H, K, V**

<sup>15</sup> perficiat K

### 3.1. Pope is head of the Church

[33] For you should not despise the Holy See and the true successor of Peter and the Vicar of Christ.<sup>1</sup> He is our head which should never be separated from us, for a body cannot be complete without its head. He is the bridegroom of the Church; he is the captain of the ship; he is - as people say - God on Earth. Through Peter and Peter's successors, Christ our Saviour has given him the keys to the Kingdom of Heaven,<sup>2</sup> though I do not deny that they have also been given to the Church as a whole.<sup>3</sup> To him has been given so great an authority, so great a power, so great a knowledge of the divine mysteries that he is to be revered above all. Indeed, the papal dignity is so venerable that we must honour and revere the pope – even an evil one. So, whatever lust he may have indulged in or whatever crime he may have committed, he must not be held in contempt before the Church has passed judgment.<sup>4</sup>

### 3.2 Pope Eugenius IV

[34] What shall I say about the present Supreme Pontiff?<sup>5</sup> I would now have to speak about his holy life if the king's ambassadors<sup>6</sup> had not already spoken splendidly about his piety, his clemency, his fairness, his sense of justice, and his goodness. We do not at all deny that Our Most Holy Lord<sup>7</sup> will be necessary to the future council<sup>8</sup> so that it may benefit not only from the authority of his office, but also from his personal moral qualities<sup>9</sup>.

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<sup>1</sup> Note how respectfully Piccolomini here speaks about the papal office and the pope personally, cf. Introduction

<sup>2</sup> Matthew 16, 13-20

<sup>3</sup> Piccolomini would return to this theme in his *Libellus dialogorum* (1440), where he wrote: ... *per illa verba iudiciariam potestatem datam esse non solum Petro, sed aliis etiam apostolis et toti ecclesie in episcopis et presbyteris* (Piccolomini: *Libellus*, 72 (Iaria, pp. 48-49). He also referred to it in his *De gestis concilii Basiliensis* from the same year (Hay, p. 66), quoting Augustine's *Sermo natalis Petri et Pauli*: *Has enim claves non ille [Peter] ut homo unus, sed unitas accepit ecclesiae*, and also quoting Augustine's *De agone Christi*: *Huic enim ecclesiae claves regni coelorum datae sunt, cui Petro datae sunt*

<sup>4</sup> ... but in the end he states the conciliarist position that the council is ultimately above the pope and can pass judgement on him, as the Council of Konstanz had done 20 years before, and the Council of Basel itself were to do some years later. The passage "he [the pope] must not be held in contempt before the Church [i.e. the Council] has passed judgement" is in direct contradiction of the medieval, papalist view that "the pope may be judged by nobody" (*papa a nemine iudicetur*)

<sup>5</sup> Eugenius IV (1383-1447): Pope from 1431 to his death

<sup>6</sup> "oratores"

<sup>7</sup> i.e. the pope

<sup>8</sup> i.e. The Union Council

<sup>9</sup> Eugenius IV was generally considered a stubborn and undiplomatic person, pope and statesman, but at the same time a man of great piety and great moral qualities

[35] Nunc videndum commodamne sibi Papiam censeamus. Et quemadmodum mea fert opinio, nihil est quod hic locus papae displiceat, sive commoditatem viarum<sup>1</sup>, sive securitatem percipiat<sup>2</sup>. Ex Bononia usque Papiam parum itineris interjacet, via tuta et plana sive terra sive aqua aptissimum iter. Neque locus est aliquis eligibilis, ad quem papae facilius sit accessus.

[36] Tutus praeterea sibi locus est<sup>3</sup>, {6r} quod neque cum civibus, neque cum principe aliqua sibi lis est. Multumque demiror<sup>4</sup> nonnullorum temeritatem inter papam ducemque esse<sup>5</sup> contententium inimicitias. Unde enim hoc dicant<sup>6</sup>, nescio: forsitan utriusque introspiciunt animos, de aliena mente vaticinantes. Ego scio ducem Mediolani numquam inimicum appellasse papam, numquam adversarium, numquam contrarium, numquam minus sobrium de summo pontifice verbum effudisse. Ceterum magna reverentia summaque veneratione semper patrem sanctissimum<sup>7</sup>, semper<sup>8</sup> dominum clementissimum<sup>9</sup> vocitasse.

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<sup>1</sup> **commoditatem viarum: viarum commoditatem H, V**

<sup>2</sup> percipiat C; *corr. ex percipiat D*

<sup>3</sup> *omit. K*

<sup>4</sup> *omit. K*

<sup>5</sup> *corr. ex fore C; fore H, K, V*

<sup>6</sup> **dictitent H, V; dubitent K**

<sup>7</sup> patrem sanctissimum : patres sanctissimi V

<sup>8</sup> semperque G, MA

<sup>9</sup> patrem ... clementissimum : dominum clementissimum, semper patrem sanctissimum C

### 3.3. Distance to Pavia for the pope

[35] Let us now look at why Pavia is convenient for him. In my opinion, nothing about Pavia should displease him whether he desires the commodity of the roads or safety: there is only a short distance from Bologna<sup>1</sup> to Pavia, the route is safe and even, and both by road and by river the journey is highly comfortable. No other place is easier for the pope to get to.

### 3.4. Relations between the pope and the Duke of Milan

[36] Moreover, the place is safe for him because he has no quarrel with the citizens nor with its prince. I am greatly surprised by the temerity of some people who claim that there is enmity between the pope and the duke.<sup>2</sup> How they can say that, I simply do not know. Maybe they are looking inside their two heads, trying to guess at the minds of others. For my own part, I know for sure that the Duke of Milan has never called the pope an enemy, or an adversary, or an opponent, and he has never spoken less than respectfully about the Supreme Pontiff. On the contrary, he has always spoken with great reverence and deference about the pope and called him Most Holy Father and Most Gracious Lord.

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<sup>1</sup> Where the pope was in residence at the time

<sup>2</sup> In a letter to Siena of 6 August 1436 (Epistolarium, letter 21), Piccolomini had actually written: *As regards the Duke, his enmity with the pope is an obstacle (duci obstat inimicitia papae)*. There had certainly been a serious conflict between pope and duke, as part of the power game in Italy at the time. The pope was perceived as an opponent of Milan for at least two reasons: firstly, he was a Venetian and favouring Venice, the mortal enemy of Milan; secondly, he naturally opposed the expansionist designs of Milan into the Papal State. The duke's support of the council – against the pope – was related to this conflict. Interestingly, Piccolomini himself had probably, in the course of this conflict, some years before been involved in a Milanese plot to seize the pope's person. The man in charge of this conspiracy was Bartolomeo Visconti, Bishop of Novara, in Milanese territory, who was closely connected with the Duke of Milan and who was Piccolomini's employer at the time. Piccolomini obviously downplays what was a very dangerous conflict for the pope, but it is probably true to say that the conflict was a political one, and not the result of personal enmity. It could therefore have been ended by the peace treaty between Milan and the pope in 1435, but later events showed that it had not

[37] Ut si qua umquam indignatio fuerit, victus<sup>1</sup> ducali patientia summus pontifex nil aliud duci posset dicere<sup>2</sup>, nisi quod solus adversus iram vera arma verasque vires, quibus se tutaretur<sup>3</sup>, invenisset, sicut<sup>4</sup> in Tusculano senatu dixisse Camillum<sup>5</sup> Livius<sup>6</sup> refert. Numquid praeterea<sup>7</sup> novimus<sup>8</sup> inimicitias, si quae fuerant<sup>9</sup>, exacto jam anno per pacem sopitas? Cujus mediatores fuerunt<sup>10</sup> viri optimi atque rarissimi<sup>11</sup>, cardinales sanctae crucis et sancti Petri, a vestro sacerrimo coetu ob eam rem Florentiam destinati. Conditions pacis secundum papam dictae. Post eam<sup>12 13</sup> nihil<sup>14</sup> umquam odiosum inter eos contigit.

[38] Sed ut videatis manifestissima benevolentiae indicia<sup>15</sup>, hic animum paulisper intendite. Defecerunt ab<sup>16</sup> duce Genuenses<sup>17</sup>, qui cum bello undique premerentur, libertatis servandae gratia cum Venetis ac<sup>18</sup> Florentinis foedera percusserunt. Tum papa ingens duci bellum imminere cognoscens imparemque<sup>19</sup> tantis<sup>20</sup> viribus eum<sup>21</sup> existimans, ne periculoso<sup>22</sup> nimis proelio urgeretur, auctorem se pacis obtulit virumque omnium opinione probatissimum, cardinalem sanctae crucis, misit, qui ducem de pace requireret, ipse alios flexurus. Quo inspecto animo omnem dux ipse litem omnemque controversiam sanctissimo domino nostro commisit, arbitrumque et amicabilem compositorem inter se atque hostes papam elegit.

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<sup>1</sup> **victrix H**

<sup>2</sup> dici V

<sup>3</sup> **tutaret H; se tutaretur : settaret V**

<sup>4</sup> **sic H**

<sup>5</sup> Camillus *in marg.* A, K

<sup>6</sup> Livius *in marg.* A, K

<sup>7</sup> non *add.* MA

<sup>8</sup> nominis V

<sup>9</sup> **fuerunt H, V; fuerat K**

<sup>10</sup> exacto iam ... fuerunt *omit.* V [NB: confirms that H is not derived from V]

<sup>11</sup> clarissimi V

<sup>12</sup> post eam : postea E

<sup>13</sup> **pacem add. H, K, V**

<sup>14</sup> nil K

<sup>15</sup> iudicia V

<sup>16</sup> a MA

<sup>17</sup> **Januenses H, V**

<sup>18</sup> et F

<sup>19</sup> **impotentemque H; in paceque V**

<sup>20</sup> tanti B, E

<sup>21</sup> **ducem H, K, V**

<sup>22</sup> periculo B, E

[37] And when there was a conflict between them, the Supreme Pontiff was overcome by the duke's forbearance: he had to admit that the duke had used legitimate weapons and legitimate force against him and only in self-defense, just as - according to Livy<sup>1</sup> - Camillus<sup>2</sup> spoke in the Tusculan Senate.<sup>3</sup> And do we not know<sup>4</sup> that this enmity - if you can really call it that - was ended through the conclusion of a peace already more than a year ago?<sup>5</sup> The mediators of this peace were those two great and distinguished men, the Cardinals of Santa Croce<sup>6</sup> and of San Pietro,<sup>7</sup> whom your Holy Assembly sent to Florence for this very purpose. The terms of peace were dictated by the pope himself, and afterwards there has been no enmity between them whatsoever.

[38] But if you want irrefutable proofs of their friendship, then hear this: the Genoese were pressed by war on all sides,<sup>8</sup> and in order to keep their liberty they defected from the duke and instead concluded a treaty with Venice and Florence.<sup>9</sup> The pope learned that the duke was threatened by a major war and estimated that he could not match the great forces [of his enemies]. To prevent the duke from being pressed into a war too dangerous for him,<sup>10</sup> the pope then offered himself as a peacemaker and sent the widely respected Cardinal of Santa Croce<sup>11</sup> on a peace mission to the duke, while he himself undertook to persuade the other parties. When the duke had considered this offer, he entrusted the whole conflict and controversy to Our Most Holy Lord<sup>12</sup> and chose the pope as mediator and friendly peacemaker between himself and his enemies.<sup>13</sup>

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<sup>1</sup> Titus Livius (59 BC-17 AD): Roman historian

<sup>2</sup> Marcus Furius Camillus (ca. 446-365 BC): Roman general

<sup>3</sup> Livius: *Ab urbe condita*, 6.26.1-2. The event took place in 382 BC

<sup>4</sup> Cf. Pius II: *Orationes*, I, p. 36, n. 11

<sup>5</sup> 10 August 1435, see Pesce, p. 18

<sup>6</sup> Niccolò Albergati (1373-1443): Cardinal (1426)

<sup>7</sup> Juan Cervantes (-1453): Cardinal (1426)

<sup>8</sup> The Genoese defected from the Duke of Milan on 27 December 1435. The so-called Ligurian war between the duke and Genoa ensued, see Pesce

<sup>9</sup> 29 May 1436, see Pesce

<sup>10</sup> Cf. Pius II: *Orationes*, I, p. 36, n. 12

<sup>11</sup> Niccolò Albergati

<sup>12</sup> I.e. the pope, see Pesce p. 78

<sup>13</sup> These shifts in alliance were typical of Italian power politics of the time: every state systematically worked against any other state or coalition of states becoming too strong. The pope invited Milan and the league of Venice, Florence and Genoa to peace negotiations in Bologna. They began on 6 August, but did not, at this time, lead to peace, see Pesce, p. 78-79. The war continued, but peace was eventually made, and the Duke of Milan was reconciled with the pope some years later

[39] Cujus rei veritatem<sup>1 2</sup>, nisi agnitam omnibus scirem, Roberti Florentini, novitatum diligentissimi exactoris, testimonium implorarem<sup>3</sup>, apud quem non unae litterae reperirentur<sup>4</sup>. Vidi ego hisce oculis apostolicas litteras paternae caritatis et exuberantis plenas dilectionis, quae duci directae fuerant, ut nihil<sup>5</sup> filiis parentes soleant<sup>6</sup> scribere dulcius.

[40] Sed ponamus fore inimicitias. Numquid terram<sup>7</sup> inimici Papiam dicet, quae, cum in vestra futura sit manu, inimici reputari non potest, nisi concilium existimet<sup>8</sup> inimicum. Libere namque in manibus vestris<sup>9</sup> daturum se urbem dux pollicetur. Quo facto nihil<sup>10</sup> erit, quod papae timendum sit. Ac<sup>11</sup> si quid securius papa exigat, nihil est quod illum principem {6v} negaturum rear<sup>12</sup>. Adest orator suus, vir clarus atque facundus, Christoforus de Velate<sup>13</sup>: expetite<sup>14</sup> securitates. An adeo difficilis res ista censeatur<sup>15</sup>, ut inveniri modus<sup>16</sup> nequeat? Certe non video, cur magis alii quam dux dare papae securitatem valeant<sup>17</sup>.

[41] Sunt in hoc concilio cardinales aliique praelati quamplures, sunt etiam in Romana curia, quorum neque vobis, neque papae suspecta est fides. Committite his gubernaculum civitatis; jurent in manibus horum officiales civesque, si oportet<sup>18</sup>, fidelitatis exhibeant juramentum. Quo tunc jure aut<sup>19</sup> urbem papa contemnat in manibus suorum positam amicorum, aut quo ibit, si huc non veniat?

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<sup>1</sup> *add. in marg.* A; *omit.* B, C, E, F, K

<sup>2</sup> **rei veritatem : rem H, V**

<sup>3</sup> imploratorem C

<sup>4</sup> reperirentur V

<sup>5</sup> nil K

<sup>6</sup> solent G, MA

<sup>7</sup> tetram B, E

<sup>8</sup> **existimetur H, K, V**

<sup>9</sup> in manibus vestris : vestris in manibus K

<sup>10</sup> nil K

<sup>11</sup> **at H**

<sup>12</sup> *aut* reat A; reat B, F; erat E; **reor H**

<sup>13</sup> Valete E; **Vellate H, K, V**

<sup>14</sup> expedite E

<sup>15</sup> censeatur V

<sup>16</sup> **modum H**

<sup>17</sup> **magis ... valeant : aliorum magis quam ducis oblate securitates accipiende sint H, V**

<sup>18</sup> oporteat G, MA

<sup>19</sup> **hanc H, K, V**

[39] If I did not know that you are all aware of this fact, I would ask for confirmation from Roberto of Florence,<sup>1</sup> that diligent gatherer of news, who is in possession of many letters.<sup>2</sup> With my own eyes I have seen apostolic<sup>3</sup> letters sent to the duke, full of paternal charity and great love. Parents could not write more lovingly to their children.

### 3.5. Council will have control over Pavia

[40] But let us set this issue of enmity aside. For, after all, how can anybody claim Pavia to be hostile territory when it would be placed in your own hands? Surely, it can only be considered hostile if the council declares it to be so. The duke promises to give the city freely into your hands, and when that happens, the pope will have nothing to fear.<sup>4</sup> And if the pope demands greater safety, I believe that this prince will deny him nothing. But the duke's ambassador, the esteemed and eloquent Cristorofo da Velate,<sup>5</sup> is present: demand guarantees from him! Or do you consider this problem to be so difficult that no solution may be found? For my own part, I certainly do not see how other people would be able to provide greater security for the pope than the duke.

[41] In this council as well as at the Roman Curia there are cardinals and many other prelates whose loyalty is well-known both to you and to the pope. Entrust the government of the city to such people; let the city officials and citizens swear an oath between their hands, and, if necessary, let them provide a sworn statement of allegiance. With what right could the pope then reject a city which had been put into the hands of his own friends, and where else could he go if he did not want to come there?

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<sup>1</sup> Probably Roberto Martelli, manager of the Medici office in Basel from 1433-1438

<sup>2</sup> This passage throws an interesting light on dissemination of news and on information gathering at the time, with banks having the function as veritable nodes of information

<sup>3</sup> Apostolic, i.e. papal. Piccolomini rarely uses the word "papal"; he prefers the traditional term "apostolic"

<sup>4</sup> In view of the fact that the preceding council, i.e. the Council of Konstanz, 1414-1418, deposed three popes, it is not quite clear why the pope should feel safe in a city controlled by the council, particularly in view of his conflicts with the council which actually later deposed him

<sup>5</sup> Cristoforo da Velate: Milanese diplomat

[42] Quod si modus iste<sup>1</sup> non placet, excogitate<sup>2</sup> alios. Nihil<sup>3</sup> negare duces invenietis, quod<sup>4</sup> rationi consentaneum<sup>5</sup> iudicabitis. Ceterum si nihil horum recipitis, ostendam vobis denique, cum requiretis, etiam in civitate Papiensi summi pontificis non abesse consensum. Nunc istud praetereamus. Satis namque mihi fuerit ei locum recusandi abstulisse<sup>6</sup>, quem venire nolentem cogere non possemus. Sat fuit<sup>7</sup>, si venire eum commode posse ostensum est.

[43] Restat concilium quoque cum papa illic commode<sup>8</sup> monstrare<sup>9</sup> futurum, quoniam licet cuncti ad reductionem Graecorum papam clamitent necessarium, ego non minus puto concilium opportunum. Concilium namque rem inchoavit. Concilium<sup>10</sup>, si omittatur<sup>11</sup>, dedecus, si perficiatur<sup>12</sup>, laus sit secutura<sup>13</sup>. Concilium eligere locum debet. Concilium pecunias invenire ac triremes oportet mittere. Concilium denique totius rei consummationi supereminet. Exigit<sup>14</sup> ergo res ista non minus concilii quam papae praesentiam. Idcirco locum utrisque<sup>15</sup> aptum debetis eligere.

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<sup>1</sup> modus iste: iste modus G, MA

<sup>2</sup> excogitare E

<sup>3</sup> nil K

<sup>4</sup> quem V

<sup>5</sup> rationi consentaneum : consentaneum rationi F

<sup>6</sup> fuerit ... abstulisse : videtur si justam repudiandi causam papae auferamus, neque sibi apud Deum mundumve relinquamus sibi excusandi locum H, K, V

<sup>7</sup> fuerit G, MA

<sup>8</sup> omit. H, V

<sup>9</sup> monstrante H, V

<sup>10</sup> omit. F

<sup>11</sup> ommittant B, E; obmittatur H, V

<sup>12</sup> proficiatur H, V

<sup>13</sup> segura V

<sup>14</sup> exiget H, V

<sup>15</sup> corr. ex utriusque A; utriusque H, K, V

[42] But if this solution is unacceptable, then think of others. You will find that the duke will refuse nothing that you consider to be reasonable. And if you do not accept any of this, I shall - if you so require - show that within the city of Pavia itself there is support for the pope. But let us now leave this issue. Evidently, we cannot force the pope to come to a place where he does not want to go, but it is sufficient for me to have removed any grounds for him to reject Pavia and to have shown that he is able to travel there with ease.

### **3.6. Pavia is convenient for the council**

[43] It remains to show that also the council – like the pope - can move to Pavia with ease. For even if all declare that the pope’s presence is essential for bringing back<sup>1</sup> the Greeks, I consider that the council is just as important. The council started this whole matter. So, it would be shameful to discontinue the council and meritorious to continue it. It is the responsibility of the council to select the location, to find the money, to send the triremes, and generally to have the final say concerning the completion of the whole matter. So, the presence of both council and pope is required, and you must therefore choose a venue which is convenient for both.

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<sup>1</sup> Reject, p. 345: *Most often the Latins used “reduction”, leading back, when referring to this union*

[44] Hanc esse Christianissimi regis Francorum<sup>1</sup> ejusque oratorum arbitror intentionem. Quis enim non sanctissimum illius gloriosissimi regis propositum interpretetur? Quis de tali tantoque rege non caste atque optime suspicetur? Etenim sive antecessorum ejus gesta consideramus<sup>2</sup>, sive vitam ipsius ante oculos praeponamus<sup>3</sup>, regnum illud amplissimum, longe lateque patens, semper fuisse tutamen et ornamentum fidei cognoscemus<sup>4</sup>. De qua re, si dicere velim, prius dies quam verba deficient<sup>5</sup>, pleni namque sunt codices historiarumque libri, majorumque regum clarissima gesta divinis quasi laudibus ubique gentium celebrantur. Totque fuerunt illius regni egregia pro<sup>6</sup> fide facinora, ut non solum inter regna principatum obtinuerit, sed Christianissimum quadam ultra cetera excellentia meruerit<sup>7</sup> appellari.

[45] Sed quid<sup>8</sup> ego ista<sup>9</sup> commemoro, quae meis dictis facio viliora? Taceo de illo gymnasio<sup>10</sup> memorabili et famosa schola Parisiensi<sup>11 12</sup>, cujus doctrina incredibile dictu<sup>13</sup> est, quantum {7r} fidei praestiterit incrementum, quam veteres reges singulari semper<sup>14</sup> reverentia prosecuti dicuntur. Neque ab<sup>15</sup> praedecessoribus suis modernum regem degenerantem cernimus, sed regibus quibusque superioribus belli pacisque artibus et gloria parem.

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<sup>1</sup> De rege Francorum *in marg.* A; Rex Francorum *in marg.* K

<sup>2</sup> **consideremus H, K, V**

<sup>3</sup> **ponamus H, V**; proponamus MA

<sup>4</sup> **cognoscimus H**

<sup>5</sup> deficient E; deficerent F; **deficiat H**; difficient V

<sup>6</sup> egregia pro : egregiaque V

<sup>7</sup> **meruerunt aut meruerint H**; meruerunt V

<sup>8</sup> *omit.* F

<sup>9</sup> **omit. H, V**

<sup>10</sup> **gignasio H, K**; cignasio V

<sup>11</sup> Papiensi [*sic!*] V

<sup>12</sup> Schola Parisiensis *in marg.* A, K

<sup>13</sup> **dictum H**

<sup>14</sup> *omit.* F

<sup>15</sup> a B, D, E, G, MA

### 3.7. Attitude of the King of France

[44] I perceive that this is also the intent of the Most Christian King of France and his ambassadors. All see the worthy intentions of his glorious Majesty in this matter. And all think well and respectfully about this great king. Whether we consider the achievements of his ancestors or look at his own life, we must acknowledge that this great and vast kingdom has always been a bastion and an ornament of the Faith. If I were to talk about this subject, the day would run out before the words, for the annals<sup>1</sup> and history books are full of them. The magnificent accomplishments of the former kings are celebrated everywhere with almost divine praises.<sup>2</sup> So many were the illustrious deeds of this kingdom for the Faith that it gained the first place among kingdoms and even merited to be called the Most Christian of many excellent kingdoms.

[45] But why do I dwell on these things when my words cannot do them justice. I pass over that famous gymnasium and wonderful school of Paris<sup>3</sup>: it is impossible to speak adequately about its scholarship and how much it has contributed to the growth of the Faith. The old kings are said to have always shown it particular respect, and - as we see - the present king lives up to his predecessors and equals the former kings in the arts of war and peace as well as in glory.

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<sup>1</sup> "codices"

<sup>2</sup> A number of Frankish emperors, starting with Charlemagne himself, and French Kings had over the centuries supported the popes militarily and intervened on their behalf

<sup>3</sup> I.e. the University of Sorbonne. In this period the term "university" had not yet gained general currency. This university was a strong and highly respected proponent of conciliarism (see Stieber, p. 62). The remark of Piccolomini is therefore both a compliment and a political statement

[46] De cuius inlyta justitia ac religione, quamvis multa possimus<sup>1</sup> ordiri, illud prae ceteris adnotemus<sup>2</sup>, quod erga universalem ecclesiam sacrosanctumque<sup>3</sup> concilium factitavit. Inter papam et vos<sup>4</sup> olim illa prior dissentio<sup>5</sup> fuit, quod hic<sup>6</sup> vos<sup>7</sup> concilium dicere, ille negare. Ecclesiam Gallicanam<sup>8</sup> rex consuluit, qua concilium hic esse declarante omni vos favore juvandos<sup>9</sup> statuit. Missi e vestigio oratores viri ex archiepiscopali episcopalique dignitate, tum doctrina, tum etiam bonitate praestantes, qui jam quintum vobiscum<sup>10</sup> annum in agro dominico laborantes ducunt. Pecuniae ex regno ad utilitatem concilii detrahi permissae. Mandatum ut praelati proficiscantur ad concilium<sup>11</sup>; auxilium datum, quodcumque petitum a<sup>12</sup> vobis est.

[47] Et quid aliud de ipso dixerim rege, nisi quod inter alios sibi praecipue teneamur<sup>13</sup>, cuius auxilio defensi servatique<sup>14</sup> sumus. *Et quae melior est, inquit Cicero<sup>15</sup>, in hominum genere natura quam eorum, qui se natos ad homines juvandos, tutandos, conservandos arbitrantur<sup>16</sup>?* O regem ergo gloriosissimum, o principem excellentissimum, o vere Christianissimum fidei defensorem: tu ecclesiam defendis, tu fidei consulis<sup>17</sup>, tu concilium veneraris, tu es quem merito honorare perpetuisque praeconiis debemus extollere.

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<sup>1</sup> possumus G, MA

<sup>2</sup> advocemus K

<sup>3</sup> sacrosanctum K

<sup>4</sup> nos V

<sup>5</sup> **discutio H, V**

<sup>6</sup> si F

<sup>7</sup> nos V

<sup>8</sup> Gallicinam D, G; Gallicam E, V

<sup>9</sup> jurandos V

<sup>10</sup> *omit.* K

<sup>11</sup> **proficiscantur ad concilium : ad concilium proficiscantur F, H, K, V**

<sup>12</sup> *omit.* B, E

<sup>13</sup> **tenemur H**

<sup>14</sup> ***omit.* H, V**

<sup>15</sup> Cicero *in marg.* A, K

<sup>16</sup> *Bellissime in marg.* F [*the copyist's comment on the quote from Cicero!*]

<sup>17</sup> tu fidei consulis *omit.* C

[46] We could say much about his elevated sense of justice and his piety, but above all we take note of his achievements for the Universal Church and the Holy Council. At one point there was disagreement between the pope and you: you maintained that the council was to be here,<sup>1</sup> and the pope refused.<sup>2</sup> The king consulted the Gallican Church, and when it declared that the council was here, he decided to favour your cause in every way. Very soon he sent you his envoys,<sup>3</sup> eminently learned and virtuous men of archiepiscopal and episcopal rank who have now been toiling together with you in the field of the Lord for more than four years. He allowed money to be sent from the kingdom for the use of the council; he ordered prelates to go to the council; whatever aid you asked for, he gave.

[47] What else can I say about this king except that we are particularly obliged to him for his help and support. As Cicero says: *What better type of nature therefore can we find among human beings than the men who regard themselves as born into the world to help, guard and preserve their fellowmen?*<sup>4</sup>

Oh glorious King! Oh excellent Prince! Oh truly Most Christian Defender of the Faith! You defend the Church, you care about the Faith, you venerate the council. You we must honour and acclaim with perpetual praise.

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<sup>1</sup> i.e. in Basel

<sup>2</sup> In 1432 and 1433 the pope, Eugenius IV, tried to transfer the council from Basel to a city in Italy, but the council would have none of it, and in the end the pope gave in. However, the venue of the council became an issue again some years later in connection with the negotiations on Church union with the Greeks

<sup>3</sup> Among them the Archbishop of Lyon, Amédée de Talaru

<sup>4</sup> Cicero: *Tusculanae Disputationes*, 1.14.32

[48] Hic cum crebras<sup>1</sup> inter vos<sup>2</sup> ac<sup>3</sup> summum pontificem dissensiones cerneret, saepenumero ad pacem laboravit nunc vobis, nunc summo pontifici supplicans tolli discidium. Nec<sup>4</sup> aliud<sup>5</sup> Simon collegaeque<sup>6</sup> rogitant, nisi ut concilium cum papa conveniat, omnesque discordiarum fomites<sup>7</sup> amputentur. Quid<sup>8</sup> hic – obsecro - irascatur? Num<sup>9</sup> rectae sanctaeque illae sunt voces<sup>10</sup>? Num<sup>11</sup> omnes idem<sup>12</sup> cupitis? Ego sane, nisi<sup>13</sup> aliud sentio, non possum militarem<sup>14</sup> illum virum non laudare. Rem namque optimam et<sup>15</sup> concessu dignissimam petit. Commonet schismatis evitare causas<sup>16</sup>, communem papae locum petit<sup>17</sup>, neque specialius quidquam dicit<sup>18</sup>, neque locum aliquem nominatim<sup>19</sup> repudiat. Cujus, nisi fallor, verba eligendam<sup>20</sup> nobis Papiam<sup>21</sup> suadent. Vult<sup>22</sup> enim papam et concilium simul esse concordiamque utrimque<sup>23</sup> fieri<sup>24</sup>, cujus nonnisi tres<sup>25</sup> vias esse<sup>26</sup> considero: ut vel papae omnino mos geratur, vel vobis, aut transactio quaedam litigiorum<sup>27</sup> fiat. Sperare<sup>28</sup> superiora vanum reor. Ad tertiam rem missus est Simon, ut communis utrique locus eligatur. Et quis, obsecro, Papiam communior aut aptior atque<sup>29</sup> utrique commodior? Gravior forsitan alius papae<sup>30</sup> locus esset, qui tamen vobis non esset tutus.

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<sup>1</sup> *omit.* K

<sup>2</sup> nos MA

<sup>3</sup> **et H, K;** ad V

<sup>4</sup> Oratores gallici *in marg.* A, K

<sup>5</sup> **modo add. H, K, V**

<sup>6</sup> collegae B, E

<sup>7</sup> fontes K

<sup>8</sup> quis *corr. ex* quid D; quis G, H, V, MA; quique K

<sup>9</sup> **nam H, V;** non MA

<sup>10</sup> **sunt voces : voces sunt H**

<sup>11</sup> **non H, K, V, MA**

<sup>12</sup> **omnes idem : idem omnes H, V**

<sup>13</sup> **nichil H; nil V** [*all the other mss. have nisi which is probably due to an error of transcription somewhere in the line of transmission*]

<sup>14</sup> **omit. H, V**

<sup>15</sup> *omit.* K

<sup>16</sup> dans V

<sup>17</sup> **obsecrat H, K, V**

<sup>18</sup> **neque specialius ... dicit : neque specificè aliud dicit H;** specificè neque alium diem V

<sup>19</sup> **nominatum H, K, V**

<sup>20</sup> *omit.* G, MA

<sup>21</sup> nobis Papiam: Papiam nobis G, MA

<sup>22</sup> Quomodo potest fieri concordia inter papam et concilium *in marg.* A; Quomodo potest fieri inter papam et concilium concordia *in marg.* K

<sup>23</sup> **utriusque H, V**

<sup>24</sup> **fidei H, V**

<sup>25</sup> tris G

<sup>26</sup> vias esse: esse vias D, G, MA

<sup>27</sup> legitimorum V

<sup>28</sup> spectare V

<sup>29</sup> aut F, V

<sup>30</sup> Papiae V

[48] When the King heard about the frequent disagreements between you and the Supreme Pontiff, he repeatedly intervened for the sake of peace and begged now you, now the Supreme Pontiff to end the conflict. What Simon<sup>1</sup> and his colleagues call for is precisely that the council should meet with the pope and that all the fuels of conflict be eliminated. Who – I ask - could take offense at this? Are these words not just and holy? Don't you all desire the same thing? For my own part, I must certainly commend this knight. What Simon asks is good and worthy of being granted. For he admonishes us to avoid the grounds for a schism, he asks us as to agree on a location with the pope, he does not make specific demands, and he does not reject any place by name. If I am not mistaken, his words point to Pavia<sup>2</sup> for he wants pope and council to be together, joined in concord. This – I think - can be achieved in three ways: either the pope gets his way, or you get your way, or some compromise is reached. To hope for the first two is pointless. Simon's mission concerns the third way: that a location should be chosen in common. And - I ask you - what location is more appropriate than Pavia, what is more suitable or convenient for both parties? Another location might possibly be more welcome to the pope, but then it would not be safe for you.

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<sup>1</sup> Simon Charles

<sup>2</sup> Piccolomini – and his audience - must have known that this contention was quite preposterous. The King of France evidently favoured a French city for the council, in casu Avignon, but for political reasons (the Kingdom of Naples) the French court pretended to accept an Italian city

[49] Sed {7v} nondum Simonem audiui dicentem, ut insecurem eligatis locum, quod nec<sup>1</sup> ipse diceret, nec<sup>2</sup> suo regi in mentem<sup>3</sup> caderet, cujus ea semper consuetudo fuit, ut prius consuleret, deinde<sup>4</sup> concilio iudicium dimitteret, suumque sensum universalis ecclesiae postponeret opinioni. Quamquam<sup>5</sup>, si licet dicere, nimium<sup>6</sup> vos hodie, patres, defertis principibus, nec quidquam audetis agere, quod principibus non libuerit. Quod ego sane non laudo, quoniam non<sup>7</sup> sic<sup>8</sup> majores nostros inuenio factitasse, nec sic se apostolos<sup>9</sup> habuisse, qui licet<sup>10</sup> totum contra se mundum haberent, veritatem tamen ubique praedicabant, neque minas, neque mortem, aut taeterrimos cruciatus pro veritate diffugiebant. Quibus rebus factum est, ut totum orbem Christianum nomen impleverit. Ubi vero mortis timor inuasit, et divitiarum cupido supervenit, deserta veritas et incognita justitia jacet. Aut<sup>11</sup> verius cum Satyro<sup>12</sup> dixerimus<sup>13</sup>:

*Jam dudum ad superos Astraea<sup>14</sup> recessit;  
Hac<sup>15</sup> comite atque<sup>16</sup> duae pariter fugere<sup>17</sup> sorores.*

Hinc<sup>18</sup> diminutus populus Christianus, et<sup>19</sup> auctae infidelium sectae.

---

<sup>1</sup> neque F

<sup>2</sup> neque F

<sup>3</sup> mente F

<sup>4</sup> **denique H**

<sup>5</sup> Contra episcopos *in marg.* D, G

<sup>6</sup> nimius V

<sup>7</sup> cum K

<sup>8</sup> sit B

<sup>9</sup> ad populos V

<sup>10</sup> **etsi H**; *omit.* V

<sup>11</sup> Juvenalis *in marg.* A

<sup>12</sup> satyrio A

<sup>13</sup> **diximus H**

<sup>14</sup> justitia *interlin.* E [*in explanation*]; **astra H, K**; *astrea corr. ex astra V*

<sup>15</sup> **ac H, K**

<sup>16</sup> ac B, E, V

<sup>17</sup> fugiere G, MA

<sup>18</sup> habere V

<sup>19</sup> **omit. H, V**

### 3.8. Relationship between princes and council

[49] But I have not yet heard Simon say that you should select an unsafe location: he would not say that, of course, and his king would not think of it. His custom has ever been first to give advice and then to leave the decision to the council, subordinating his own opinion to the view of Universal Church.<sup>1</sup>

If I may say so, Fathers, today you defer unduly to the princes, and you do not dare do anything that displeases them.<sup>2</sup> For my own part, I certainly do not approve of this attitude, and I find that our forefathers did not act in this way, and neither did the apostles. Though they had the whole world against them, they preached the truth everywhere, and in the cause of truth they fled neither threats nor death nor cruel torture.<sup>3</sup> Thus it came about that the Christian name filled the whole world. But when fear of death and desire for riches came in, truth was deserted, and justice was flung to the ground and ignored. The Satirical Poet<sup>4</sup> fittingly says that

*It was afterwards that, little by little, Astraea withdrew to the gods above  
with Chastity as her companion. The two sisters ran away together.*<sup>5</sup>

Hereafter the Christian people went into decline, and the sects of the infidels<sup>6</sup> began to grow.

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<sup>1</sup> Note the concept of the Universal Church, embodied by the council

<sup>2</sup> The princes naturally had a keen interest in the councils, the only truly international (European) assemblies at the time, influencing them heavily through their ambassadors. Piccolomini probably expresses a general concern among council members or at least of the presidency of the council, otherwise he would hardly have dared to express this sentiment

<sup>3</sup> An early expression of Pius' admiration for the primitive Church, a theme which recurs in his writings and in one of the most important speeches of his papacy, "*Sextus agitur annus*" [75], held towards the end of his life

<sup>4</sup> Satyrus = Decimus Junius Juvenalis: Roman poet (active in the late 1st and early 2nd century AD). Juvenal was one of Piccolomini's favourite classical authors

<sup>5</sup> Juvenalis: *Satirae*, 6.19-20

<sup>6</sup> I.e. Islam

[50] Vere ille riteque olim dicebat archiepiscopus Mediolanensis, quem hoc in templo sepultum habetis (vere multi alii): “Agamus,” inquit ille, “quod nobis<sup>1</sup> et justitia dignum est. Quidquid exinde sequatur<sup>2</sup>, aequo patiamur animo.” Cujus vel mortui verba ne contemnere, oro<sup>3</sup>. Agite quod dignum hac congregatione putatis. Nemo vos deseret, nemo adversus erit. Cuncti vobis principes favebunt bene facientibus. Sic Caesareum culmen Augustalemque majestatem vobiscum habebitis<sup>4</sup>. Sic Francorum, sic alii<sup>5</sup> ex ordine reges<sup>6</sup> vobis parebunt. Et quantum ad locum attinet, nemo est principum, qui spernere Papiam debeat, ubi et papa optime et concilium valeat convenire. Nondum tamen<sup>7</sup> excussimus, quomodo Papiae securum possit esse concilium, id enim ad ultimum orationis nostrae membrum reservavimus.

[51] Nunc<sup>8</sup> ad tertium transeamus. Hujus partis est ostendere non domos solum, sed victualia quoque ubertim suppetere, in qua re<sup>9</sup> non multum erit negotii. Ipsa enim res se<sup>10</sup> manifestat. Ut tamen de hac etiam parte disseramus<sup>11</sup>, ex toto dominio suo duci placet, ut quam velitis urbem eligatis. Quis nescit Galliam ipsam, quae circa Padum jacet, et esse et a Cicerone<sup>12</sup> dici florem Italiae? Aut quis regionem illam cum aliis aequiparet<sup>13</sup> agris?<sup>14</sup> Cum hujus tanta ubertas, tantaque feracitas<sup>15</sup> sit, ut semper abunde suppleverit<sup>16</sup>, quamvis jam multis non dico annis, sed saeculis continuo sit bello agitata. Alibi vero nonnullae provinciae sunt adeo steriles<sup>17</sup>, adeo infecundae, ut non suscepto bello, sed audito belli nomine exhauriantur. Hic vero plurimae sunt urbes recipiendo concilio et alendo sufficientes. Nam ut Mediolanum taceamus, urbem populosissimam, quae, ut semper fuit, sic modo caput est<sup>18</sup> Insubrium. Quid de Papiis, Placentia, Parma, Cremona dixerimus?

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<sup>1</sup> vobis K, V

<sup>2</sup> sequetur K

<sup>3</sup> rogo D, G, MA

<sup>4</sup> habetis F, V

<sup>5</sup> **omit. H, V**

<sup>6</sup> ~~reges~~ K

<sup>7</sup> tandem D

<sup>8</sup> Tertia orationis pars *in marg.* A; Tertium membrum *in marg.* D, G; Tertia pars orationis *in marg.* K

<sup>9</sup> **omit. H, V**

<sup>10</sup> **res se : sese res H, V**

<sup>11</sup> dixeramus V

<sup>12</sup> Cicero *in marg.* A, K

<sup>13</sup> equiperet A, B, C, D, E, F, K; aequiperat V

<sup>14</sup> Gallia flos Italiae *in marg.* D; Gallia togata, flos Italiae *in marg.* G

<sup>15</sup> **fertilitas H**

<sup>16</sup> **suppleverint H, V**

<sup>17</sup> **fertiles [sic!] H**

<sup>18</sup> caput est: est caput G, MA

[50] An Archbishop of Milan<sup>1</sup> who - like so many others - lies buried in this temple<sup>2</sup> once said very justly on this subject: “*Let us do,*” he said, “*what is worthy of ourselves and of justice. And whatever follows we shall bear with equanimity*”. I ask you: do not reject his words even if he is dead. Do what you think is worthy of this assembly. Nobody will desert you, nobody will oppose you. All the princes will favour you as long as you pursue a good course. His Imperial Highness and August Majesty<sup>3</sup> will support you. The French King and indeed all the other kings will follow you. And concerning the location, no prince would reject Pavia for there pope and council may meet most conveniently.

We have not as yet discussed how the council may have security in Pavia, for this topic we have reserved for the last part of the oration.

#### **4. Pavia can provide lodgings and provisions**

[51] Let us now move on to the third part. Since it is self-evident, I shall have no difficulty in showing that Pavia can provide not only lodgings, but also abundant food. But to say just a few words about this issue, the duke has decided that you can choose any city you want within the whole of his dominion. Who does not know that the part of Gaul around the river Po is the flower of Italy? Even Cicero says so! Who will liken this region to other territories? Its fertility and feracity are so great that it has always yielded abundant crops even though it has been plagued continuously by wars not just for years, but for centuries. By contrast, many other provinces are so barren and infertile that they are completely drained by war, nay, by the mere mention of war! In this region, many cities can accommodate and feed the council. We shall not even mention Milan, that populous city, which is - as always - the capital of Lombardy. What shall I say about Pavia, Piacenza, Parma, and Cremona?<sup>4</sup>

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<sup>1</sup> Bartolomeo della Capra (1365-1433): Archbishop of Milan from 1411 to his death. Died at the Council of Basel and is buried in the cathedral where the council met for its major sessions

<sup>2</sup> Cf. Pius II: *Orationes*, I, p. 37, n. 14

<sup>3</sup> Sigismund (Luxemburg) (1368-1437): King of Hungary and Croatia from 1387, King of Bohemia from 1419, and crowned Holy Roman Emperor in 1433

<sup>4</sup> Other cities in Lombardy

[52] Omissis aliis, Papiam expendamus<sup>1</sup>. Est profecto illa urbs splendidis<sup>2</sup> commodissimisque ornata domibus. Testes voco<sup>3</sup> ex hac contione quamplurimos, qui me, si mentiar<sup>4</sup>, reprehendant: Notam namque<sup>5</sup> rem dico. Hic moderni<sup>6</sup> genitor ducis<sup>7</sup> cohabitavit, princeps omnium sua aetate consultissimus. Hic curiam continuo tenuit, quam<sup>8</sup> magni domini omnisque<sup>9</sup> fere nobilitas Italiae sequebantur<sup>10</sup>. Ob quam rem multa ingentia palatia et amplissimae sunt aedes aedificatae. Curiales namque<sup>11</sup>, ut fit, certatim<sup>12</sup> sibi magnificas construebant domos, quod<sup>13</sup> quisque ditior<sup>14</sup>, quod<sup>15</sup> quisque mundior videri volebat.

[53] Illic palatium est quod Castellum<sup>16</sup> appellant<sup>17</sup> ingenti fossa circumdatum, de cuius amplitudine illud retulisse sufficiat<sup>18</sup>, quod augustalis pontificalisque curiae capax existimetur, cuius pulchritudinem ac commoditatem omnis oratio comminuere<sup>19</sup> videatur. Hinc urbi adjacet, illinc ducale viridario supereminet, operi omnium maximo atque excellentissimo, cui Parco est nomen venationibus piscationibusque constructo, ubi feras innumerabiles XX millia passuum complexus murus<sup>20</sup> observat. De cuius rei amoenitate ac voluptate<sup>21</sup> nonnulla dissererem, nisi omnem a vobis contemni voluptatem<sup>22</sup> deliciasque omnes<sup>23</sup> parvi<sup>24</sup> aestimari<sup>25</sup> cognossem<sup>26</sup>.

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<sup>1</sup> expediamus F

<sup>2</sup> splendidissimis D, G, MA

<sup>3</sup> vero F

<sup>4</sup> **mentior H, V**

<sup>5</sup> notam namque: notamque C

<sup>6</sup> modernus V

<sup>7</sup> Ducis pater *in marg.* A, K

<sup>8</sup> **quem H**

<sup>9</sup> omnis C

<sup>10</sup> **sequebatur H, V**

<sup>11</sup> *omit.* K

<sup>12</sup> **certatum H**

<sup>13</sup> quid V

<sup>14</sup> dictior V

<sup>15</sup> quid V

<sup>16</sup> De Castello *in marg.* A, K

<sup>17</sup> **vocant H, V**

<sup>18</sup> **sufficit H, V**

<sup>19</sup> convenire K

<sup>20</sup> **omit. H, V**

<sup>21</sup> **ac voluptate omit. H, V**

<sup>22</sup> **contemni voluptatem : voluptatem contemni H**

<sup>23</sup> omnis A, B, C, D, E, F, G, H, V

<sup>24</sup> ... [*sic!*] V

<sup>25</sup> *corr. ex* extimari C; existimari D, G, K, MA; **extimari F, H, V**

<sup>26</sup> **cognoscerem E, H, V**

## 4.1. Lodgings

[52] Here, we shall only speak of Pavia. The city is adorned with splendid and commodious buildings. I call to witness many members of this assembly who will rebuke me if I am lying, for it is a well-known fact. Here, the present duke's<sup>1</sup> father,<sup>2</sup> the wisest prince of his age, had his second residence. Here, he held court continuously, and many great lords and almost the entire nobility of Italy attended it. Therefore, many grand palaces and large houses were built there, for the courtiers – as always - vied with each other in raising stately homes: everyone wanted to appear more wealthy and splendid than others.

[53] Here is a palace called the Castello<sup>3</sup>, surrounded by an enormous moat. About its size it is enough to say that it is thought capable of accommodating the Imperial or the Papal Court. Its beauty and amenity are so great that words cannot do them justice. On the one side lies the city, on the other the ducal gardens, a large and magnificent establishment called the Parco.<sup>4</sup> It has been created for hunting and fishing, and it contains innumerable wild animals. The whole complex is surrounded by a wall which measures 20,000 passus. I would speak at length about the charm and the pleasures of this place if I did not know that you scorn pleasure and do not care for enjoyments.<sup>5</sup>

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<sup>1</sup> Filippo Maria Visconti

<sup>2</sup> Gian Galeazzo Visconti (1351-1402): Ruler of Milan from 1385 to his death, from 1395 with the title of Duke

<sup>3</sup> Castello Visconteo: castle built in 1360

<sup>4</sup> The famous park where the battle of Pavia between the French and the Spaniards took place in 1525, resulting in the defeat and capture of the French King, Francis I

<sup>5</sup> Here Piccolomini probably speaks with his tongue in the cheek!

[54] Vino praeterea cunctisque edulibus<sup>1</sup> adjacens patria maxime abundat. Nec<sup>2</sup> Varronem<sup>3</sup> in illa audio prorumpentem verba<sup>4</sup>: *Optima ad victum fert ager<sup>5</sup> Campanus<sup>6</sup> frumentum, Falernus<sup>7</sup> vinum, Casinas oleum, Tusculanus ficum, mel Tarentinus, pisces Tybris.*<sup>8</sup> Haec suo forsitan tempore ita erant. Modo haec omnia Papienses habent, ceterique Longobardorum populi, foeni et bladi<sup>9</sup> plus legunt, quam ipsi cupiant<sup>10</sup>, cives. Omnis pomi copia est ingens. Quidquid abest, Ticini flumen advehere potest. Sed quid<sup>11</sup> immoror? Insubres, ut scitis, populi numquam externo tritico victitarunt, sed suum<sup>12</sup> ipsi ceteris<sup>13</sup> provinciis subministrarunt. Quo fit, ut summam semper in Papia victualium copiam sitis habituri. Nec aliquis Italus vobis<sup>14</sup> minori pretio victum dabit. Nolo probare quod per se patet. Sed quaerite alias urbes, et rerum pretia<sup>15</sup> investigate. Quod<sup>16</sup> tribus denariis alibi emetis, duorum hic denariorum pretium habebit. Neque disputatione res indiget, quod<sup>17</sup> taxationem rerum vestro iudicio dux committit, frustra de fertilitate patriae urbisque commoditate sermonem<sup>18</sup> facio, quod omnia illa majora esse cognoscitis, {8v} quam ego dicam.

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<sup>1</sup> eduliis *corr.* ex edulibus D; eduliis G, MA

<sup>2</sup> haec B, E, F

<sup>3</sup> **vatores H**; vaporem V

<sup>4</sup> Verba Varronis *in marg.* A, K; Varro *in marg.* C; Varro de Campania *in marg.* D, G

<sup>5</sup> **agere H**

<sup>6</sup> Campanisii F; Campanum V

<sup>7</sup> Falernas V

<sup>8</sup> Tyberis G, MA; tribus V

<sup>9</sup> blandi E; pani K

<sup>10</sup> cupiunt F

<sup>11</sup> **hic add. H, K, V**

<sup>12</sup> suis V

<sup>13</sup> ceterisque V

<sup>14</sup> **Italus vobis : vobis Italus H, K, V**

<sup>15</sup> presentia V

<sup>16</sup> quo E; que K

<sup>17</sup> quare MA

<sup>18</sup> *omit.* B, E

## 4.2. Provisions

[54] The neighbouring country overflows with wine and all kinds of foodstuffs. I will not heed the words gushing forth from Varro<sup>1</sup>: *Campanian lands bear the best grain for our use, Falernum the best wine, Casinum the best oil, Tusculum the best figs, Tarentum the best honey, and the Tiber the best fish.*<sup>2</sup> It may have been so at his time, but today all these things are to be found in Pavia and the other regions of Lombardy. They gather more hay and grain than their own inhabitants need, and there is a great abundance of fruit. If anything should be lacking, it can be imported via the Ticino River. But why do I dwell on this? As you know, the peoples of Lombardy never had to live on imported wheat, but on the contrary they exported their own wheat to the other provinces. Therefore you will always have a veritable abundance of foodstuffs in Pavia, and no other Italian will sell you food more cheaply. It should not be necessary to prove what is evident, but do ask the other cities about their prices: what you buy for three *denarii* elsewhere you will get for two in Pavia. The matter is beyond discussion. Even so, the duke entrusts pricing to your own judgment. But it is superfluous for me to speak about the fertility of the country and the advantages of the city, for you know that they are greater than I can say.

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<sup>1</sup> Marcus Terentius Varro (116 BC – 27 BC): Roman writer

<sup>2</sup> The quote is not directly from Varro, but from Macrobius citing Varro in his *Saturnalia*, 3.16.12: *Quod equidem cur ita illis visum sit ignoro: fuisse autem etiam M. Varro ostendit, qui enumerans, quae in quibus Italiae partibus optima ad victum gignantur, pisci Tiberino palmam tribuit his verbis in libro Rerum humanarum undecimo: Ad victum optima fert ager Campanus frumentum, Falernus vinum, Cassinas oleum, Tusculanus ficum, mel Tarentinus, piscem Tiberis*

[55] Illa vero parvipendo, quae dicuntur, oportere Graecos Latinam ecclesiam magnificam invenire. Quod tamen si quid habet momenti, ubi melius quam in Papia reperietis<sup>1</sup>? Quo enim honore, qua magnificentia<sup>2</sup>, qua pompa, quo sumptu Constantinopolitanum imperatorem ab<sup>3</sup> duce recipi aestimatis<sup>4</sup>? An quisquam<sup>5</sup> vivit hoc duce ad sumptum effusior aut ad magnificentiam animatior? De cuius largitionibus stupenda magis quam credibilis narratio videretur. Cui liberalitatem aliquam exercenti sua solum voluntas sufficit. Videbunt hujus principis excellentiam Graeci singulari quadam admiratione ac stupore, idque oculis perspicient, quod auribus aliquando cognoverant<sup>6</sup>. Verumque illud Homeri experientur dicentis: *Famam<sup>7</sup> numquam penitus vanam esse, quam populi multi decantant.* Immo et rem fama majorem invenient. Ibunt nonnumquam Mediolanum, ubi populum numerosum, ubi opulentissimos cives, ubi florentissimas opes agnoscent, ubi alterum paene orbem videre videbuntur. Tot artifices, tot pompas numquam satis spectasse dicent. Quod si magnificentia venerabilem reddit ecclesiam, illa est potissime civitas eligenda.

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<sup>1</sup> invenietis MA

<sup>2</sup> De magnificentia ducis in Grecos *in marg.* K

<sup>3</sup> a B, C, E, F, H, V

<sup>4</sup> extimatis F, V

<sup>5</sup> est *add.* K

<sup>6</sup> **cognoverunt H, V**

<sup>7</sup> **famamque H, V**

### 4.3. Splendour of Pavia and Milan

[55] I do not give much for the argument that the Greeks ought to meet a grandiose Latin Church. But if this argument should carry any weight, then where can you find it better than in Pavia? Just think of how honourably, how splendidly, how solemnly, and how extravagantly the duke would receive the Emperor of Constantinople.<sup>1</sup> Or is there any other man who lives in a more costly and magnificent fashion than this duke? An account of his largess would seem more stupendous than credible. When he shows generosity, he does it at his own behest. The Greeks will behold the grandeur of this prince with admiration and awe, and with their own eyes they shall see what they had already heard. Then they will acknowledge the truth of the Homeric saying that *a reputation is never quite false if it is sung<sup>2</sup> by many people.*<sup>3</sup> Here, indeed, they shall find that reality surpasses reputation. Sometimes the Greeks would go to Milan where they would find a large population, wealthy citizens, and great splendour; they would almost believe that they were seeing another world! They would say that they had never seen so many artists nor so many fabulous events. So, if it is grandeur that makes the Church venerable, Milan would really be the best location.<sup>4</sup>

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<sup>1</sup> Johannes VIII Palaiologos

<sup>2</sup> I.e. praised

<sup>3</sup> This is a direct quote from Leonardi Bruni: *De Militia*, 1422: *Fama autem, ut inquit Homerus, nunquam penitus vana est, quam populi multi decantant.* Bruni, p. 384. Cf. Homer: *Odyssey*, 19.333-334: *But if one be blameless and have a blameless heart, his fame do strangers bear far and wide among all men, cf. Peter Thiermann: Die Orationes Homeri des Leonardi Bruno Aretino*, Leiden 1993, p. 385. According to Thiermann, the quote refers to Homer's *Odyssey*, 24.196 ff.: *Therefore the fame of her [Penelope's] virtue shall never perish, but the immortals shall make among men on earth a pleasant song in honour of constant Penelope.* The quote is a testimony of Piccolomini's usage of Bruni, whom he much admired

<sup>4</sup> Here Piccolomini possibly sends up a "test balloon" for the choice of Milan itself as the venue for the council. It would, of course, have been an international scoop for Milan, but it was quite out of the question as the other Italian powers would never agree

[56] Sed vana sunt haec, mihi credite, anilesque<sup>1</sup> delirationes<sup>2</sup>. Non<sup>3</sup> sunt Graeci extra orbem positi, qui Latinum genus Latinasque vires ignorent. Mediterranei sunt populi, Jonio<sup>4</sup> brevi freto ab Italia discreti. Quattuor namque<sup>5</sup> et viginti horis secandum pelagus secundus facit ventus, quod a Brundusio in Epirum pergit, Siciliamque olim Graeciam<sup>6</sup> fuisse, totamque Calabriam Magnam Graeciam appellatam, nemo qui veteres lectitat<sup>7</sup>, ignorabit. Romaeque tantam Graecorum fuisse<sup>8</sup> multitudinem, ut in illa Juvenalis<sup>9</sup> verba proruperit<sup>10</sup>:

*Non possum ferre, Quirites, Graecam urbem.*

Sed ne longius a proposito divertamus, illud mihi satis probatum videtur, quod de rerum copia domorumque commoditate requirebatur.

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<sup>1</sup> **inanes H, V**

<sup>2</sup> delectationes V

<sup>3</sup> Quibus in locis Graeci sint *in marg.* A, K

<sup>4</sup> **Adriatico H**; *omit.* V

<sup>5</sup> **enim H, V**

<sup>6</sup> Graecam ex Graeciam A; **Graecam C, H, K, V**

<sup>7</sup> **lectitarit H, V**

<sup>8</sup> Graecorum fuisse: fuisse Graecorum G, H, K, MA

<sup>9</sup> Juvenalis *in marg.* A, K

<sup>10</sup> prorumperit K; prorumpit E

[56] But, believe me, such concerns are empty and foolish. The Greeks do not live in another world: they know the Latin people and the Latin strength. They are a Mediterranean people, only separated from Italy by the narrow Ionian Strait. With a favourable wind it takes just 24 hours to cross the sea from Brindisi<sup>1</sup> to Epirus.<sup>2</sup> Everybody who has read the ancients knows that Sicily was once Greek and that the whole of Calabria was called Greater Greece.<sup>3</sup> Actually, there were so many Greeks in Rome that Juvenal exclaimed:

*My fellow-citizens,<sup>4</sup> I cannot stand a Greekified Rome.<sup>5</sup>*

But so as not to stray further from the subject: I have now sufficiently demonstrated - as required - that there will be abundant provisions and commodious premises in Pavia.

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<sup>1</sup> Brindisi: Brindisi is situated at a natural harbor that penetrates deeply into the Adriatic coast of Puglia

<sup>2</sup> Epiros: a historical and geographical region of the southwestern Balkans, straddling modern Greece and Albania

<sup>3</sup> Magna Graecia: the name of the coastal areas of Southern Italy on the Tarentine Gulf that were extensively colonized by Greek settlers

<sup>4</sup> "Quirites": the earliest term for the citizens of Rome

<sup>5</sup> Juvenalis: *Satirae*, 3, 60-61

[57] De<sup>1</sup> postremo jam membro tempus admonet disputare: de securitate scilicet<sup>2</sup> libertateque loci, quae duplici a nobis modo considerata videntur: ut tuti in loco simus<sup>3</sup>, et ad locum tuti eamus.

[58] Refero<sup>4</sup> de secundo, in quo illud non est ignorandum, quod huic urbi nullum propiore locum nominamus<sup>5</sup>. Septem dierum iter, de cuius securitate nulla - ut opinor<sup>6</sup> - est ambiguitas. Jacent medii Suizerorum<sup>7 8</sup> campi sive - ut verius dicamus - Alpes, hominum cum<sup>9</sup> bellicosissimorum<sup>10</sup>, tum etiam pacis et justitiae tenacissimorum, quorum terras percurrentibus<sup>11</sup> vobis nulla latronum violentia sit timenda<sup>12</sup>. Montem vero sancti Bernardi transituris religiosissimi principis ducis Sabaudiae<sup>13</sup> territorium occurrit<sup>14</sup>, qui pacis semper amator cultorque tranquillitatis {9r} est habitus, quem religio sanctissimaque justitia cunctis subditis miro modo colendum divinisque quodammodo laudibus celebrandum efficit, cuius terras nemo non secure percurrit.

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<sup>1</sup> Ultima pars orationis *in marg.* A, K

<sup>2</sup> *omit.* F

<sup>3</sup> sumus V

<sup>4</sup> **incipio H, V**

<sup>5</sup> nominavimus G, K, MA

<sup>6</sup> nulla ut opinor: ut opinor nulla D, G, MA

<sup>7</sup> Suitensium D, G, MA

<sup>8</sup> Suizeri *in marg.* A, K

<sup>9</sup> **tum H, V**

<sup>10</sup> bellicosorum B, E

<sup>11</sup> procurrentibus K; precurrentibus V

<sup>12</sup> **per add. H, V**

<sup>13</sup> Dux Sabaudiae *in marg.* A, K

<sup>14</sup> territorium occurrit: occurrit territorium G, MA

## 5. Pavia offers security and freedom

[57] It is now time to talk about the last part of my subject, that is the security and the freedom of the place. We shall consider this matter from two angles: firstly, we must be able to stay there in security, and, secondly, we must be able to travel there in safety.

### 5.1. It is safe to travel to Pavia

[58] I start with the second issue. Everybody knows that the city we have named is very close to us. The journey only takes seven days, and I think that there can be no doubt about its safety. Between Pavia and us lies the territory of the Swiss, or, to be more precise, the Alps. The Swiss are a rather pugnacious people, but they are also fiercely beholden to peace and justice, and you will not have to fear any violence from robbers when you travel through their territory. When you pass over the Mountain of Saint Bernhard,<sup>1</sup> you will enter the territory of that most God-fearing prince, the Duke of Savoy.<sup>2</sup> He has always been considered a prince who loves peace and cherishes tranquility. His piety and inviolate justice makes him extremely popular with all his subjects and worthy of almost divine praise. Everybody may pass through his territories in complete safety.

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<sup>1</sup> Great Saint-Bernard-Pass

<sup>2</sup> Amedée VIII (1383-1451) : Count, later Duke of Savoy. Three years later, in 1439, he was elected antipope under the name of Felix V by the Council of Basel, after its dissolution by Pope Eugenius IV. Piccolomini himself became his secretary

[59] Ex his duobus territoriis nullo intersecante domino in terras ipsius Filippi<sup>1</sup> descenditis<sup>2</sup> vobis non modo tutas, sed amicissimas. Ac si cui timendum videtur, offeruntur a principe arces singulae, quas vestrum iter securius aestimabitis<sup>3</sup> esse facturas<sup>4</sup>. En cernitis ducale territorium in faucibus Galliarum et Alemanniae constitutum<sup>5</sup>, ut quamprimum intretis Italiam, ducales arces occurrant. Nec procul ab alpibus Papiam inveniatis<sup>6</sup> jacentem<sup>7</sup>. Quae res faciunt, ut securitatem ad<sup>8</sup> locum tutissimam<sup>9</sup> habeatis, qualem si qui alii praestent, ipsi iudicetis.

[60] In<sup>10</sup> loco jam restat securitatem ac libertatem ostendere, quas esse Papiae confitebimini, si vestra esse in manu civitatem ostendero; si quietos placidosque cives monstravero; si salubrem aerem docuero; et si vos de principe commonuero<sup>11</sup> posse confidere.

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<sup>1</sup> Mariae *add.* K

<sup>2</sup> descendentis G; descendetis MA

<sup>3</sup> extimabitis F, V

<sup>4</sup> **omit.** H, V

<sup>5</sup> **constitutis** H

<sup>6</sup> **invenietis** H, K, V

<sup>7</sup> adiacentem K

<sup>8</sup> ac V

<sup>9</sup> tutissimum V

<sup>10</sup> Subdivisio quaedam *in marg.* A; Quedam subdivision *in marg.* K

<sup>11</sup> compromitto V

[59] From these two territories<sup>1</sup> you will pass directly into Filippo's own country which is not only safe, but also very well-disposed towards you. And if anybody should still have some concerns, the prince offers you any fortresses you think will make your travel safer. You see that the duke's territory lies in the narrow confines between Gaul<sup>2</sup> and Germany, so that as soon as you enter Italy, you meet the ducal fortresses. And Pavia lies not far from the Alps. For these reasons you may have a very safe journey to Pavia. You can yourselves judge whether it is equally safe to travel to other places.

## 5.2. It is safe to stay in Pavia

[60] It now remains to deal with the question of security and independence. You will acknowledge that these are to be had in Pavia if I can show you that

- the city will be under your own control;
- its citizens are peace-loving and tranquil;
- the climate is healthy; and
- you can trust the prince.

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<sup>1</sup> I.e. the Swiss Alps and Savoy

<sup>2</sup> I.e. Lombardy

[61] Futuram in manu vestra<sup>1</sup> civitatem jam supra edoctum<sup>2</sup> est, nec solum urbem, sed adjacentia simul oppida arcesque daturum se ducem intellexistis. Nec dubium est, quin de se quisque magis quam de altero confidat, quamvis<sup>3</sup> aliqui dicant non esse praelatos ad regendas urbes accomodos<sup>4</sup>, dominiaque civitatum male a sacerdotibus regi contendant<sup>5</sup>. Quod a Bohemica dementia tabificoque Hussitarum errore<sup>6</sup> non multum abest, qui omni - ut scitis - dominio spoliandos sacerdotes asseverabant. Et quis – oro - melius aut rectius urbes gubernavit Martino<sup>7</sup> V.? Nolo alios numerare pontifices: longus ordo sese praelatorum offerret<sup>8</sup>, qui magnis praesidentes urbibus subditos in pace ac<sup>9</sup> justitia pulcherrime tenuerunt. Dicere vero<sup>10</sup> ineptos fore ad regimen sacerdotes, nihil est aliud quam vos<sup>11</sup> omnes contemnere Constantinumque<sup>12</sup> Caesarem reprehendere, cujus munere civitatum dominia<sup>13</sup> suscepistis. Sileant ergo, qui talia submurmurant, neque vos<sup>14</sup> condemnent<sup>15</sup>, qui petendas arces oratoribus commisistis. In potestate igitur civitatem habebitis, custodes arcibus imponetis, officiales quoslibet ordinabitis, juramentum fidelitatis recipietis. Et ubi, obsecro, liberius esse potestis? Ubi tutius? Aliam quoque securitatem<sup>16</sup>, si quam petieritis, facile impetratu erit.

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<sup>1</sup> manu vestra : vestra manu K

<sup>2</sup> dictum MA

<sup>3</sup> cum vix MA

<sup>4</sup> accomodatos V

<sup>5</sup> **civitatum male ... contendant : cur tantum malum a sacerdotibus exit H, V** [*V has cui for cur*]

<sup>6</sup> Error Bohemorum *in marg.* A, K

<sup>7</sup> Papa Martinus *in marg.* A, K

<sup>8</sup> **offert H, V**

<sup>9</sup> atque V

<sup>10</sup> **omit. H, V**

<sup>11</sup> **nos H, V**

<sup>12</sup> Constantinus *in marg.* A, K

<sup>13</sup> divina K

<sup>14</sup> **nos H, V**

<sup>15</sup> contemnent B, E, F, K; contemnant *corr.* ex contemnent C

<sup>16</sup> **quoque securitatem : securitatem quoque H**

### 5.2.1. Council may have control of Pavia

[61] I have already shown that the city itself will be under your control, and you have heard that the duke will also entrust you with the neighbouring towns and fortresses.

There is no doubt that you can trust him more than so many others who claim that prelates are not suitable for ruling cities and who allege that priests govern cities badly.<sup>1</sup> This is not far from the Bohemian madness and the virulent errors of the Hussites,<sup>2</sup> claiming – as you know - that the clergy should be deprived of all temporal power. But who governed cities better and more justly than Martin V?<sup>3</sup> I shall not list other pontiffs, for there is a long line of prelates who governed great cities and ruled their subjects admirably, in peace and justice. Saying that priests are unfit for government is tantamount to showing disrespect towards all of you and to rebuke Emperor Constantine<sup>4</sup> who granted you the government of cities.<sup>5</sup> Let those who whisper such things be silent and not blame you because you have asked your envoys to require fortresses.

The city, then, will be in your power; you will assign commanders to the fortresses; you will appoint officials; you will receive an oath of allegiance. So where, I ask, may you have greater freedom? Where will you have greater safety? And should you want even more security you will obtain it easily.

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<sup>1</sup> There was widespread dissatisfaction, not least in the Papal State, with priestly rule, i.e. government by popes and bishops, and the secular princes on the Church's lands constantly tried to free themselves of papal rule and become independent rulers. It is remarkable that Piccolomini defends priestly rule since he was at that time not very clerically minded. But speaking to an assembly of prelates, many of whom had the secular government of their territory, he must have felt that it would be politic to speak in favour of priestly rule

<sup>2</sup> A religious movement in Bohemia following the teachings of Jan Hus (ca. 1369-1415) and challenging many tenets and dogmas of the Roman Church. It became one of the forerunners of the Reformation

<sup>3</sup> Martin V (1369-1431): Pope from 1417 to his death. His election at the Council of Konstanz effectively ended the Western Schism (1378–1417)

<sup>4</sup> Constantine I the Great [Flavius Valerius Aurelius Constantinus Augustus] (ca. 272 – 337): Roman Emperor from 306 to his death

<sup>5</sup> A falsified medieval document, The Donation of Constantine (probably from the 8<sup>th</sup> century), purported to be a decree of the Emperor Constantine, by which he donated large territories and Rome itself to the popes. It was considered to constitute the legal base of priestly government. Already during the period of the Council of Basel, the authenticity of the document was being challenged by humanists (Nikolaus von Kues, and later Lorenzo Valla), and Piccolomini soon accepted their arguments. Instead, he began to refer to later donations of land to the popes by other princes

[62] Civium modo naturam examinemus<sup>1</sup>, quae pro vestra securitate non est parum consideranda.<sup>2</sup> Plenum namque periculi est inter cives vivere, qui ipsi<sup>3</sup> inter se divisi discordiosique sint, qui nullo inter se pacto cohaereant. Talibus enim in<sup>4</sup> civitatibus necesse est saepe immutari regimina: nunc unum esse, nunc alium principatum. {9v} Neque innovari sine discrimine res possunt, et quemadmodum ait Comicus<sup>5</sup>: *Non fit sine periculo magnum facinus et memorabile*. Quod intelligo non solum eorum, qui agunt, sed spectantium etiam.

[63] Sed nihil horum in urbe Papiensi<sup>6</sup> trepidabit<sup>7</sup>. Est<sup>8</sup> enim populus pacicolus<sup>9</sup>, quieti et otio deditus, cives perurbani, non belli aut intestinarum avidi discordiarum, sed suis occupati possessionibus, plurimum tempus in agricultura consumunt, et juxta<sup>10</sup> Graecum proverbium<sup>11</sup>, *quam quisque artem novit, in hac se exercet*. Nec vano libertatis nomine gloriantur quemadmodum aliqui, qui tum se liberos vocant, cum maxime serviunt, et subesse quampluribus<sup>12</sup> liberum fore dicunt. Ego vero quietiorem populo Papiensi nullum adhuc repperi, qui et suo<sup>13</sup> semper principi oboedivit, et devotissimus ecclesiae fuit.

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<sup>1</sup> naturam examinemus : nostram examinemus naturam V

<sup>2</sup> considerare MA

<sup>3</sup> omit. F

<sup>4</sup> omit. E

<sup>5</sup> Terentius in marg. A, K; Comicus non sine periculo in marg. D; Comicus in marg. G

<sup>6</sup> Papiensium G, MA

<sup>7</sup> trepidabitur MA [misreading of abbreviation for -is in G, cf. also moderni genitor regis, fol. 14v]

<sup>8</sup> De civibus Papiensibus in marg. A; De Papiensibus in marg. K

<sup>9</sup> placidus G, MA; **pacificus H, V**

<sup>10</sup> iuxta V

<sup>11</sup> Grecum proverbium in marg. A, K

<sup>12</sup> pluribus V

<sup>13</sup> omit. K

### 5.2.2. Citizens of Pavia are peace-loving and tranquil

[62] Let us look now at the character of the citizens. This is clearly relevant to your security for it is highly perilous to live among citizens who are divided and contentious and who can in no way become reconciled. In such cities, there must necessarily be frequent political changes: now they have one government, now another.<sup>1</sup> However, political changes are never without risk, and as the Comic Poet<sup>2</sup> says: *You can't do anything big or brilliant without risk.*<sup>3</sup> This applies not only to the actors, but also to the bystanders.

[63] None of this you have to fear in the city of Pavia. It is a peace-loving people, given to quietness and tranquility. The citizens are perfectly civilized and do not want war or civil discord. They are occupied with their own business and spend most of their time on agriculture. They live according to the Greek proverb: *The art which each man knows, in this let he employ himself.*<sup>4</sup> They do not vainly boast of the name of liberty as others do who call themselves free when in reality they are slaves, and who believe that freedom is to have many masters. Personally, I have never seen a quieter people than the Pavians: they have always been obedient to their prince, and they are greatly devoted to the Church.<sup>5</sup>

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<sup>1</sup> This is an early statement of Piccolomini/Pius' inveterate disdain of democratic government and the common people. His views on this matter were probably influenced by the history of Siena, where the popular party in the 14th century expelled the noble families, including the Piccolomini, both from power and from the city itself. Afterwards Enea Silvio's branch of the family fell into poverty and insignificance, from which it was saved only by their illustrious member, our Piccolomini himself, as he rose to be Bishop of Siena, Prince of the Empire and of the Church, and finally pope

<sup>2</sup> Comicus = Publius Terentius Afer: Roman playwright (195/185-159 BC), better known in English as Terence. He was one of Piccolomini's favourite classical authors

<sup>3</sup> Terentius: *Heautontimoroumenos*, 314

<sup>4</sup> Cicero: *Tusculanae Disputationes*, 1.18.41

<sup>5</sup> I.e. both to their secular and religious rulers

[64] Aeris nunc salubritas<sup>1</sup> pernoscatur, quem purissimum esse<sup>2</sup> apud Ticinum reperietis. Nullae ibi foedae paludes exhalant, non maritima stagna putredinem suggerunt, non crebrae pestes invadunt, non aestus<sup>3</sup> immensi intemperatique solares radii aut montani venti officiunt sanitati. Quod<sup>4</sup> si Basileae similem quaerimus civitatem, Papiam profecto est, quae Basiliensem<sup>5</sup> nobis et libertatem et sanitatem praestet, quam hic permaximam sumus experti. Nam sive aeris salubritas fuit, sive miraculosa magni Dei bonitas id<sup>6</sup> concessit, sextum hinc<sup>7</sup> jam trahentes annum incredibili omnes sanitate praestitimus<sup>8</sup>. Nec<sup>9</sup> de libertate expedit disputare: libere enim hic loqui libereque<sup>10</sup> facere, quodcumque libuit, numquam estis prohibiti, nec cives vestris<sup>11</sup> se umquam actionibus opposuerunt, ut qui Germanicam nobilitatem redolent.

[65] De Germanorum namque fide<sup>12</sup>, gravitate, constantia nihil satis explicare possem. Non sunt ad promittendum faciles, sed promissa inconcussa inviolateque custodiunt. Emori<sup>13</sup> malunt, quam juramento deficere. Apud quos facile sit multos<sup>14</sup> Attilio Regulo<sup>15</sup> similes invenire, qui primo Punico bello fidem hostibus prius<sup>16</sup> servare voluit quam<sup>17</sup> mortem et foedum corporis effugere laniatum. Haec profecto constantia Germanorum, haec fides, haec gravitas Alamaniae, ut tenacissime fidem servant.

[66] Cujus rei memores Basilienses nihil<sup>18</sup> vobis promissum commutarunt. Apud quos utinam quod restat negotii consummare possemus, ne<sup>19</sup> aliorum fidem probaturi essemus. Si tamen pericula volumus evitare<sup>20</sup>, Papiensis nobis<sup>21</sup> est<sup>22</sup> civitas adeunda, ubi, quemadmodum dixi, et civium grata conversatio<sup>23</sup> est et aeris perpetua salubritas.

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<sup>1</sup> De salubritate aeris *in marg.* A, K

<sup>2</sup> **fore H, K**

<sup>3</sup> insunt V

<sup>4</sup> De Basilea et moribus Teutonicorum *in marg.* A, K

<sup>5</sup> **Basiliensibus H**

<sup>6</sup> **omit. H, V**

<sup>7</sup> hic B, E, H, K, V

<sup>8</sup> perstitimus *corr. ex* prestitimus C

<sup>9</sup> neque F

<sup>10</sup> **et libere H, V**

<sup>11</sup> cives vestris : vestris cives K

<sup>12</sup> Germanorum fides *in marg.* D, G; Mos Germanorum *in marg.* F

<sup>13</sup> **et mori H**

<sup>14</sup> multo K

<sup>15</sup> M. Atilius Regulus *in marg.* A; Atilius Regulus *in marg.* K

<sup>16</sup> *omit.* D, G, MA

<sup>17</sup> cui C

<sup>18</sup> nil K

<sup>19</sup> ut E

<sup>20</sup> **volumus evitare : evitare volumus H**

<sup>21</sup> vobis K

<sup>22</sup> nobis est: est nobis MA

<sup>23</sup> conversatione K

### 5.2.3. Climate of Pavia is healthy

[64] Now, hear about the healthy air which is very clean around the River Ticino. No swamps exude fetid air; no stagnant waters stink of rotteness; they are not invaded by frequent plagues; their health is not threatened by immense heat or burning sunshine or mountain winds. If we seek a city similar to Basel, then indeed it is Pavia that will provide us with the same great independence and health we have had here.<sup>1</sup> For whether it is an effect of the wholesome climate or the gift of our great God's miraculous goodness, the fact remains that we have now all been living here for more than five years and are in incredibly good health.<sup>2</sup> It is superfluous to talk about liberty because we really can speak freely here, and everybody can do as he wishes. Nothing has ever been forbidden us, and the citizens have never opposed your actions. In this they reflect the German nobility.

[65] For about the faithfulness, seriousness, and steadfastness of the Germans I could never say enough. They do not make promises readily, and when they make them they keep them firmly and honestly. They would rather die than fail to keep an oath.<sup>3</sup> Among the Germans it would be easy to find many like Attilius Regulus<sup>4</sup>, who during the first Punic War<sup>5</sup> would rather keep faith with his enemies than flee death and horrible torture.<sup>6</sup> Such, indeed, is the dependability of the Germans, such is the faithfulness and seriousness of Germany: they keep their promises firmly and honestly!

[66] Being mindful of this, the people of Basel always stood by their promises to you. Therefore, I do wish that we could finish the business of the council here in Basel and that we would not have to test the faithfulness of others. But if we wish to avoid danger, we must go to the city of Pavia, where - as I have said - the citizens live peacefully together, and the air is always wholesome.

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<sup>1</sup> I.e. in Basel

<sup>2</sup> Just three years later a violent plague struck Basel, described in dramatic detail by Piccolomini himself in his *De gestis Concilii Basiliensis Commentariorum Libri II*

<sup>3</sup> The theme of German faithfulness Piccolomini had from Tacitus: *Annales*, 13.54: *nullos mortalium armis aut fide ante Germanos esse*

<sup>4</sup> Marcus Atilius Regulus (ca. 307-ca. 250): Roman general and consul. Mentioned in Bruni: *De militia*, p. 384. Cf. Cicero: *De officiis*, 1.13.39

<sup>5</sup> Punic wars: a series of three wars fought between Rome and Carthage from 264 to 146 BC

<sup>6</sup> Note this instance of Piccolomini's frequent use of examples (*exempla*) from Antiquity to give depth and authority to an argument

[67] Si quando tamen mutare locum<sup>1</sup> oporteret, non desunt<sup>2</sup> in territorio principis commodissimae civitates, quarum, sicut de Papia est dictum, {10r} dominium haberetis. Neque enim<sup>3</sup> futuri casus sunt a nobis<sup>4</sup> non cogitandi, sed sicut apud Euripidem Theseus facere nos decet<sup>5</sup>, cujus illa sunt verba a Cicerone<sup>6 7</sup> in latinum conversa:

*Nam qui haec audita a docto meminisse viro,  
Futuras mecum connitabar<sup>8</sup> miserias,  
Aut mortem acerbam, aut exilii moestam<sup>9</sup> fugam,  
Aut semper aliquam molem meditabar mali:  
Ut si qua injecta diritas casu foret,  
Ne me imparatum cura laceraret repens.*

Quae non ideo solum dicta confirmo<sup>10</sup>, ut malum fiat praemeditatione levius, sed ut praevidentes mala diffugiamus. Et quantum ad nos attinet, illud in eligendo loco desideremus, ut venientem pestem aliamve mali molem possimus evitare, sicut in urbe cernimus Papiensi, qua seu peste, seu alia causa dimittenda<sup>11</sup>, aliam e vestigio urbem inveniamus concilii capacem et rerum abundantem omnium. Ac de aeris salubritate sufficiat.

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<sup>1</sup> mutare locum: locum mutare G, K, MA

<sup>2</sup> desinit F

<sup>3</sup> **omit. H, V**

<sup>4</sup> vobis K

<sup>5</sup> Euripides. Theseus. Cicero *in marg.* A, K

<sup>6</sup> **a Cicerone : per Ciceronem H, V**

<sup>7</sup> Cicero *in marg.* D, G

<sup>8</sup> commentabar G, H, MA; commutabam V

<sup>9</sup> incestam F

<sup>10</sup> **estimo H, K;** extimo V

<sup>11</sup> devitanda K

[67] If, however, we should have to find another place, there are in the prince's lands other quite convenient cities which you would have under your control, just like Pavia. For we also have to think of future eventualities, as Theseus<sup>1</sup> does in Euripides<sup>2</sup> whose words Cicero translated into Latin thus:

*I treasured up what some learn'd sage did tell,  
And on my future misery did dwell;  
I thought of bitter death, of being drove  
Far from my home by exile, and I strove  
With every evil to possess my mind,  
That, when they came, I the less care might find.*<sup>3</sup>

This means that we should not foresee evils just to make them easier to bear, but to avoid them! In our case, we must choose a city that we can immediately exchange for another city capable of hosting the Council and amply provisioned. This might become necessary in case of the plague or for some other reason. Pavia certainly fulfils this condition. I have now said enough about the wholesome climate.

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<sup>1</sup> Theseus: Greek mythological hero

<sup>2</sup> Euripides: Greek tragedian (c. 480-406 BC). The tragedy itself is lost, but the above passage was quoted in Greek by Plutarch in his *Moralia*, 112D

<sup>3</sup> Cicero: *Tusculanae Disputationes*, 3.14.29: *Nam qui haec audita a docto meminisset viro, Futuras mecum commentabar miseras: Aut mortem acerbam aut exsili maestam fugam, Aut semper aliquam molem meditabar mali, Ut, si qua invecata diritas casu foret, Ne me imparatum cura laceraret repens.* Quoted after the translation of C.D. Yonge. New York, 1877

[68] Principis<sup>1</sup> vero fides quanti a vobis<sup>2</sup>, celeberrimi patres, sit habenda, extremo praesentique loco retinui. De qua re abunde putavero dictum<sup>3</sup>, cum ejus principis erga ecclesiam<sup>4</sup> devotionem, erga vos ipsos sacrumque<sup>5</sup> concilium dilectionem, erga subditos justitiam et aequitatem<sup>6</sup>, erga hostes clementiam et mansuetudinem, erga omnes magnificentiam et benignitatem ostendero. Quibus absolutis quis neget summam in hoc<sup>7</sup> principe fidem habendam<sup>8</sup>? Quas res me nunc peroraturum<sup>9</sup>, utinam digna rebus sequeretur facundia. Meritus<sup>10</sup> es namque, victoriosissime<sup>11</sup> princeps, de quo summi oratores et<sup>12</sup> clarissima poetarum ingenia fatigentur.<sup>13</sup> Sed dabis Aeneae<sup>14</sup> veniam, si non ut vellet, sed ut potest tuam causam perorabit. Vos quoque, patres amplissimi, desinite admirari, si non dignam tanto principe<sup>15</sup> orationem audietis : tot sunt enim illius stupendae virtutes, tot miranda gesta, tot pacis et belli incredibiles artes, ut inferior omnis oratio videri debeat.

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<sup>1</sup> Subdivisionis subdivisio *in marg.* A, K

<sup>2</sup> **nobis H, V**

<sup>3</sup> **putavero dictum : dictum putavero H, K, V**

<sup>4</sup> ecclesiasticam V

<sup>5</sup> sacrum K; sanctumque V

<sup>6</sup> **equanimitatem H, V**

<sup>7</sup> **vos add. H, K, V**

<sup>8</sup> **habituos H, K, V**

<sup>9</sup> oraturum V

<sup>10</sup> **veritus H**

<sup>11</sup> gloriosissime K

<sup>12</sup> *omit.* K

<sup>13</sup> Philippi laudes *in marg.* D, G

<sup>14</sup> **ante H;** euge V

<sup>15</sup> principi F

### 5.3 Council can trust the duke

[68] I have kept for the end the question of how much, celebrated Fathers, you may trust the prince. I shall have said quite enough about this issue, if I show you

- the prince's devotion to the Church,
- his love of yourselves and the Sacred Council,
- his justice and fairness towards his subjects,
- his clemency and mildness towards his enemies, and
- his generosity and benevolence towards all.

If I do that, then who will deny that you can trust this prince implicitly? As I begin to speak about this, I hope that my eloquence will be worthy of the subject

For that is what you merit, oh victorious Prince! Even the greatest orators and the most excellent poets would find it hard to do justice to you, so I hope that you will forgive Aeneas<sup>1</sup> if he speaks on your behalf not as well as he would like to, but as well as he is able to. And you, great Fathers, do not be surprised if you do not hear an oration worthy of this great prince. For, indeed, his admirable virtues, his memorable deeds, and his incredible skills of war and peace are so manifold that no oration can do them justice.

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<sup>1</sup> Piccolomini himself

[69] Sed pergo, ut *in buccam venit*, ac de sua erga ecclesiam devotione duo quam brevissime absolvam. Braccius<sup>1</sup>, hostis ecclesiae immanissimus<sup>2</sup>, cum multa Romanae sedis oppida urbesque invasisset, ac multas provincias vi occupasset, urbem insignem Aquilam eo animo obsedit, ut ea capta bellum urbi obsidionemque admoveret, tantusque in urbe metus ac trepidatio fuit, ut non urbis<sup>3</sup> defendendae<sup>4</sup>, sed faciendae fugae consilium esse<sup>5</sup> putarent. Nec minor<sup>6</sup> agitatio Romae tumultusque<sup>7</sup> fuit victore<sup>8</sup> apud Cannas Hannibale<sup>9</sup> omnique Romanorum prostrato exercitu, cum<sup>10</sup> perditam spem fore desperatam comploratamque rempublicam nonnulli juvenes opinati<sup>11</sup> de aufugio cogitabant. Tum papae auxilia dux misit, pecuniisque copiisque papam jovit. {10v} Cumque ad manum<sup>12</sup> devenere, ducales copiae plurimum valuerunt eoque proelio victoriam pepererunt, ut victum Braccium duci adscriberent. Omitto classem ingentem rogatu papae Martini in Apuliam destinatam, Cajetamque<sup>13 14</sup> receptam et alia classis illius spectata facinora.

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<sup>1</sup> Braccius *in marg.* A, K

<sup>2</sup> inhumanissimus K

<sup>3</sup> urbem V

<sup>4</sup> defendere V

<sup>5</sup> erat V

<sup>6</sup> **major corr. ex minor H; major V**

<sup>7</sup> tumultus F; **timorque H, V**

<sup>8</sup> victorie B, E; *corr. ex victorie* A, D, F [*and possibly* C]

<sup>9</sup> Anibal *in marg.* A, K

<sup>10</sup> locus corruptus *in marg.* MA

<sup>11</sup> *omit.* G, MA

<sup>12</sup> **manus H, V**

<sup>13</sup> Cajetam F

<sup>14</sup> Caieta *in marg.* A, K

### 5.3.1. Duke's devotion to the Church

[69] But I shall say what *comes into my head*,<sup>1</sup> and concerning the duke's devotion to the Church, I shall briefly mention two points:

[Firstly,] when Braccio,<sup>2</sup> that terrible enemy of the Church, had invaded many towns and cities belonging to the Roman See and occupied many of its provinces, he laid siege to the splendid city of Aquila.<sup>3</sup> His intention was to capture that city and then move the war and the siege to Rome. So great were the fear and trembling in the City<sup>4</sup> that they thought less about defense than about flight. The uproar and disorder in Rome were just as great as when Hannibal<sup>5</sup> had won the Battle of Cannae<sup>6</sup> and the whole of the Roman army had been destroyed: all hope was lost, the situation of the state was desperate and lamented, and many of the young men planned to flee. Then the duke sent aid to the pope and helped him with money and troops. When they joined battle,<sup>7</sup> the ducal troops prevailed and gained victory, and the duke was credited with the defeat of Braccio.

I shall omit the immense fleet which the duke sent to Puglia at the request of Pope Martin V, the capture of Gaeta, and the other memorable achievements of that fleet.

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<sup>1</sup> *"ut in buccam venerit"*: classical expression used by Cicero, Seneca the Younger, Martial, Jerome

<sup>2</sup> Fortebraccio, Andrea (AKA Braccio da Montone) (1368-1424): Italian nobleman and condottiero

<sup>3</sup> Aquila or L'Aquila: capital city of the Abruzzo region

<sup>4</sup> I.e. Rome

<sup>5</sup> Hannibal Barca (247-ca. 183 BC): Punic Carthaginian military commander

<sup>6</sup> Battle of Cannae: a major battle of the Second Punic War, August 2, 216 BC.

<sup>7</sup> 2 June 1424

[70] Illud quis non summe collaudet Emiliam<sup>1</sup>, quam modo<sup>2</sup> Romandiolam dicimus, ex manibus tyrannorum vi captam, papae sine contradictione restitutam<sup>3</sup> esse. Numquam hic princeps summis pontificibus adversatus est, numquam ecclesiae defuit auxilio, numquam apostolica<sup>4</sup> mandata contempsit, modernoque pontifici ut patri, ut domino, ut Christi vicario semper obtemperavit, primusque omnium principum praestitit oboedientiam. Si quid postea discidii fuit, hinc processit origo. Ipse tamen numquam papae famulatum negavit, quod illa in<sup>5</sup> sede sedentem numquam contemnendum<sup>6</sup> censuit.

[71] Qualis vero erga concilium fuerit, vestrum neminem arbitror praeterire, nec me aliquis reprehendat, si hunc defensorem concilii nominaverim, quem non ignoratis<sup>7</sup> cum magno suorum sumptu semper hic<sup>8</sup> praelatorum frequentiam<sup>9</sup> tenuisse curasseque<sup>10</sup>, ne defectu suppositorum<sup>11</sup> concilium<sup>12</sup> deperiret. Cumque requirendi principes in adhaesionem essent, hujus praelati praesto fuere, qui suis sumptibus obirent<sup>13</sup> munera legationum, quorum nullus aut labori pepercit aut sumptui.

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<sup>1</sup> Emilia *in marg.* A, K

<sup>2</sup> nunc V

<sup>3</sup> *omit.* G, MA

<sup>4</sup> a papa V

<sup>5</sup> illa in : in illa E, F

<sup>6</sup> **contendendum H**

<sup>7</sup> ignoratur MA

<sup>8</sup> **hinc H**

<sup>9</sup> **copiam H, K, V**

<sup>10</sup> citasseque D, G, M

<sup>11</sup> suorum V

<sup>12</sup> frequentiam ... concilium *omit.* E

<sup>13</sup> obierunt V

[70] [Secondly], who will not greatly applaud that Emilia, now called Romagnola,<sup>1</sup> was freed from the hands of the local tyrants,<sup>2</sup> who had conquered it by force, and willingly restored to the pope?

Never did the prince fight the Supreme Pontiffs, never did he refuse to help the Church, and never did he reject the apostolic commands. The present pope he always obeyed as Pontiff, father, lord, and Vicar of Christ, and he was the first of the princes to declare his obedience to him. Even if later there was some disagreement between them, that is how their relationship actually began. The duke never refused to serve the pope since he considers that the person who occupies the Holy See should never be shown disrespect.

### 5.3.2. Duke's love of the council

[71] I believe that none of you can be unaware of the duke's attitude towards the council, and nobody will rebuke me if I call him Defender of the Council. For everybody knows that from the beginning he required his prelates to attend the council and has kept them here at great cost so that it would not collapse due to lack of participants.

And at the time when the council solicited the support of the princes, his prelates were ready to undertake the necessary missions – even at their own expense: none of them spared any effort or money.<sup>3</sup>

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<sup>1</sup> Romagnola: a region of Northern Italy comprising the two historic regions of Emilia and Romagna and forming an important part of the then papal state. The capital was Bologna

<sup>2</sup> Not in the sense of cruel rulers, but in the sense of self-made, local rulers without the sanction of the Empire or the Church

<sup>3</sup> Piccolomini returned to this theme in other works, e.g. the *De rebus Basiliae gestis commentarius*, written four years later, in 1450 (Reject, p. 332)

[72] Atque ut sileam, quod<sup>1</sup> magna cum diligentia in hoc concilio et extra concilium ab episcopo Albiganensi<sup>2</sup> est gestum, viro non solum genere, sed animi virtute nobilissimo, quid de aliis dicam<sup>3</sup>? Hinc episcopus Novariensis ad regem Franciae destinatus, hinc Laudensis in Angliam missus. In remotissimamque<sup>4</sup> usque Poloniam Parmensis episcopus jussus est ire, quo<sup>5</sup> tempore ille vivebat, cujus modo insignia viduis depicta<sup>6</sup> tapetibus cernitis ante oculos, moderni genitor regis<sup>7</sup>, cui Deus adversus infidelium impetus omnes conatus secundos efficiat. Ad regem vero Aragonum Riccius abbas sancti Ambrosii<sup>8</sup> in Siciliam usque perrexit. Nec tu, potentissime princeps Burgundorum<sup>9</sup>, ab<sup>10</sup> Longobardis praelatis fuisti praetermissus. Abbati namque de Cereto<sup>11</sup>, patri integerrimo, ea legatio obvenit, quem tu propter patriam propterque dominum laeto vultu et gratissimo animo recepisti<sup>12</sup>, non ignarus quantum tibi<sup>13</sup> dux ille Mediolanensis<sup>14</sup> afficiatur, qui nihil magis exoptat quam tuae morem gerere voluntati<sup>15</sup>. Apostolorum mihi illa<sup>16</sup> tempora videbantur, cum orbis provincias inter se sortiti suam quisque legationem suscepit evangelium praedicaturus. Cujus rei non absimilem<sup>17</sup> curam<sup>18</sup> ducales praelati receperunt, quoniam tunc alii aberant.

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<sup>1</sup> quid G, MA

<sup>2</sup> Episcopus Albiganensis, Episcopus Novariensis, Episcopus Laudensis, Episcopus Parmensis *in marg.* A, K

<sup>3</sup> **dicemus H, V**

<sup>4</sup> remotissimam F, G, MA

<sup>5</sup> *omit.* V

<sup>6</sup> depincta K

<sup>7</sup> Rex Polonie *in marg.* K

<sup>8</sup> Abbas sancti Ambrosii *in marg.* A, K

<sup>9</sup> Dux Borgundorum *in marg.* A, K

<sup>10</sup> a B, E, H

<sup>11</sup> Abbas Cereti *in marg.* A; Abbas de Cereto *in marg.* K

<sup>12</sup> **suscepisti H**

<sup>13</sup> *omit.* K

<sup>14</sup> tibi *add.* K

<sup>15</sup> voluptati K

<sup>16</sup> mihi illa : illa mihi E

<sup>17</sup> ad similem V

<sup>18</sup> curalem B, E

[72] Passing over the tireless endeavours, both inside and outside the council, of the Bishop of Albenga,<sup>1</sup> a man distinguished not only by family, but also by his virtue of soul, what shall I say about the other prelates?<sup>2</sup> The Bishop of Novara<sup>3</sup> was sent to the King of France,<sup>4</sup> and the Bishop of Lodi<sup>5</sup> to England. The Bishop of Parma<sup>6</sup> was ordered to far-away Poland when the father<sup>7</sup> of the present king<sup>8</sup> was still alive. You see his coat of arms, painted by widows, on the tapestry right in front of you. May God help the present king to successfully resist the attacks of the infidels. To the King of Aragon,<sup>9</sup> who then resided in Sicily, was sent Abbot Ricci of Saint Ambrose.<sup>10</sup> Nor were you, mighty Duke of Burgundy,<sup>11</sup> neglected by the Lombard prelates. This mission fell to the Abbot of Cereto,<sup>12</sup> that upright Father, whom you received with pleasure, both because of his country and because of his lord. For you know how greatly you are esteemed by the Duke of Milan who wants nothing more than to accommodate your wishes. To me that period seemed to resemble that of the apostles when they divided the provinces of the world between them, and each undertook a mission to preach the Gospel there. A similar task was entrusted to the ducal prelates<sup>13</sup> because at that time many other prelates had not yet arrived.<sup>14</sup>

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<sup>1</sup> Matteo del Carretto

<sup>2</sup> They are all prelates from the territory of the Duke of Milan. Piccolomini here shows how the duke – through his prelates - helped the council to obtain the recognition of the European princes

<sup>3</sup> Bartolomeo Visconti (1402-1457): Bishop of Novara from 1429 to his death. For some time Piccolomini's own employer

<sup>4</sup> Charles VII

<sup>5</sup> Gerardo Landriani: Bishop of Lodi, made cardinal in 1439

<sup>6</sup> Delfino da Pergola: Bishop of Parma

<sup>7</sup> Wladislaw II Jagiello (ca. 1362-1434): King of Poland from 1386 to his death

<sup>8</sup> Wladislaw III Jagiello (1424-1444): King of Poland from 1434 to his death

<sup>9</sup> Alfonso V

<sup>10</sup> Antonio Ricci: Abbot of Sant' Ambrogio, Milan

<sup>11</sup> Philippe III le Bon (1396-1467): Duke of Burgundy 1419 to his death

<sup>12</sup> The abbot of Chiaravalle

<sup>13</sup> I.e. the bishops of the Duchy of Milan

<sup>14</sup> Reject, p. 332

[73] Repetite {11r} beneficia in vos<sup>1</sup> collata, obsecro. Considerate, si jamdiu hinc abissetis, nisi ipse favisset. Videte, si quid est umquam petitum, quod non sit impetratum. Videte, si hujus concilii bene gesta semper<sup>2</sup> collaudarit<sup>3</sup> observarique jusserit. Videte, si gentes armorum, si pedites, si equites, si pecuniam, si terras, si se ipsum vobis obtulerit. Videte, si quid promiserit, quod non impleverit. Videte, si vos semper magna dilectione fuerit prosecutus. Hic cardinalibus ad concilium venientibus naves dedit. Hic securum transitum omnibus praestitit. Hic omnibus modis<sup>4</sup> nos<sup>5</sup> juvit<sup>6</sup>, qui non modo hoc, modo<sup>7</sup> illud, ut plerique, sed semper idem dixit fecitque. Neque ut exprobrem ista dico, sed ut ejus erga vos fidem recognoscentes<sup>8</sup> de ipso potius quam de aliis<sup>9</sup> confidatis, caveatisque ne quam ingratitude ostendatis, quam rem in divina mente almoque illo spiritu, qui praesidere in conciliis<sup>10</sup> creditur, nefas est nominare.

[74] Illudque evitate, ne de<sup>11</sup> vobis dici possit, quod dictum esse quondam Cicero narrat. Nam cum C. Laelio<sup>12</sup>, bono et spectato viro, consulatum petenti *non esset<sup>13</sup> mos gestus, magis populus a bono consule, quam a bono populo repulsus consul dicebatur.*

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<sup>1</sup> **nos H, V**

<sup>2</sup> *omit.* K

<sup>3</sup> collaudaverit C

<sup>4</sup> *omit.* K

<sup>5</sup> **vos H, V**

<sup>6</sup> nos juvit : juvit vos K

<sup>7</sup> *omit.* F

<sup>8</sup> cognoscentes C

<sup>9</sup> alio G, MA

<sup>10</sup> concilio G, MA

<sup>11</sup> *omit.* G, MA

<sup>12</sup> Cicero. G. Lelius *in marg.* A, K

<sup>13</sup> *omit.* D, G, MA

[73] I urge you to consider the favours the duke has bestowed upon you: how long would we have been here without his support? Have you ever asked him for something that you did not receive? Has he not always praised the excellent decisions of this council and ordered them to be obeyed?<sup>1</sup> Has he not offered you armed men, foot soldiers, mounted soldiers, money, land, and even himself? Has he not always fulfilled his promises to you? Has he not always shown you great love? When the cardinals travelled to the council, he gave them ships;<sup>2</sup> he offered safe passage to them all, and he helped us in every way. Many say now this now that, but he always said and did the same thing. I do not say this in order to criticize you, but so that you may acknowledge his fidelity towards you, trust him more than others, and take care not to seem ungrateful. For ingratitude is a sin towards the divine mind and the blessed Holy Spirit who is believed to preside over councils.

[74] Take care that it may not be said about you what, according to Cicero, was said about Gaius Laelius,<sup>3</sup> a good and highly respected man, who had sought the consulship: when *contrary to custom he had not been elected*, it was said that it was more *a case of the people being rejected by a good consul, than of the consul being rejected by a good people.*<sup>4</sup>

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<sup>1</sup> I.e. in his own duchy

<sup>2</sup> Piccolomini had actually sailed on one these ships, in the company of his then employer, Cardinal Capranica

<sup>3</sup> Gaius Laelius Sapiens (b. ca. 188 BC): Roman statesman

<sup>4</sup> Cicero: *Tusculanae Disputationes*, 5.19.54: *non populus a bono consule potius, quam ille a populo<sup>2</sup> repulsam fert*

[75] Pergo ad alia: justitiaeque<sup>1</sup> erga subditos ministrandae aequitatisque<sup>2</sup> servandae ducale studium vel in eo potestis comprehendere, quod ab omnibus subditis peraeque diligitur<sup>3</sup>. Percurrite ejus territorium: omnes uno ore videbitis<sup>4</sup> de suo principe bene dicere sibi bene optare, superosque rogare, ut superstes ac longaevus fiat. Nullum principi male dicere, nullum nisi magnifice amplissimeque de suo sentientes principe invenietis. Quam rem nemo ex justitia natam<sup>5</sup> negaverit. Eo pertinet, quod de Sperone<sup>6</sup> aliisque plerisque factum est, quos<sup>7</sup>, cum ipse in subditos graves, acerbos contumeliososque repperisset<sup>8</sup>, ab<sup>9</sup> sese<sup>10</sup> penitus abdicavit omnique magistratu dejecit. Ex quo fit, ut ejus dominatus altissimis defixus radicibus existat. Est enim in amore ac caritate fundatus, non in timore, qui, ut dicit orator<sup>11</sup>, *non est diuturnus magister officii*. Nec illud queo praeterire, quod nemo magis mortem hominis abhorret, nemo magis invitus torqueri homines audit.

[76] Sed de sua in hostes mansuetudine jam sermo desideratur, in qua re non erit absurdum, si ea de hoc principe dixerimus, quae de senatu populoque Romano<sup>12</sup> Scipio<sup>13</sup> dixit, *quem beneficio quam metu obligare homines malle, exterisque gentes fide ac societate junctas habere, quam tristi subjectas servitio asseverabat*. Qua laude hunc esse dignum ducem paucis colligemus exemplis. Victus adverso proelio Carolus Malatesta captivus<sup>14</sup> duci deditur<sup>15</sup>. Expectatis necem aut carceres? Nullo receptus supercilio fortunatus<sup>16</sup> sibi<sup>17</sup> fuisse vinci quam vicisse {11v} expertus est. Quid alios exercituum duces commemorem<sup>18</sup>, qui in hujus deducti potestate tantam<sup>19</sup> clementiam invenerunt, ut jam plerique didicerint tutius esse huic principi adversari quam favere.

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<sup>1</sup> **justitiae H, V**

<sup>2</sup> aequitatisve MA

<sup>3</sup> diligere V

<sup>4</sup> **audietis H, V**

<sup>5</sup> **et equitate prodire H, V**

<sup>6</sup> de Petra Sancta *add. interlin. E*; **de Sperone : Speroni H, V**

<sup>7</sup> quo F

<sup>8</sup> respuisset V

<sup>9</sup> **a H**

<sup>10</sup> se MA

<sup>11</sup> Cicero *in marg.* A, K

<sup>12</sup> populoque Romano : Romanoque populo A [NB: A corrected by the other mss.]

<sup>13</sup> Scipio *in marg.* A, K

<sup>14</sup> **capitaneus H, V**

<sup>15</sup> Karolus *in marg.* A, K; Carolus Malatesta *in marg.* D, G

<sup>16</sup> fortunatus B, E

<sup>17</sup> *omit.* F

<sup>18</sup> duces commemorem: commemorem duces B, E

<sup>19</sup> tam E

### 5.3.3. Duke's justice towards his subjects

[75] I now turn to the next item: the duke's diligence in administering justice and fairness to his subjects. From this you will understand that he is loved by all his subjects and with good reason. Travel through his territory, and you will see that all unanimously speak well of their prince. They wish him the best, and they hope and pray to Heaven that he will survive and live long. You will find that no one speaks badly of the prince, and that everybody thinks very highly of him. The reason for this is his sense of justice - nobody can deny that! Just think of what happened to Sperone and many others: when the duke found that they were heavy-handed, harsh, and abusive towards his subjects, he dismissed them, and stripped them of all their offices. Therefore, his government has deep roots: it is based on love and affection and not on *fear*, which – as the orator says – *is not a lasting teacher of duty*.<sup>1</sup> I add that no one abhors the death of a man more than him, and no one is more loath to hear people being tortured.

### 5.3.4. Duke's clemency towards his enemies

[76] We must now speak about his clemency towards enemies. It would be quite appropriate to say about this prince what Scipio<sup>2</sup> said about the Roman senate and people: *They preferred to hold men by the bonds of kindness rather than by those of fear. They would rather have foreign nations united to them on terms of alliance and mutual good faith than kept down in hard and hopeless servitude*.<sup>3</sup> We will show, with a few examples, how praiseworthy the duke is in this respect:

Carlo Malatesta<sup>4</sup> had been defeated in battle and was brought to the duke as a prisoner. One would now expect death or prison. But no! Instead he was received with no severity at all: he was more fortunate in having been defeated than he would have been if he had been victorious. And I could mention other army commanders who came into his power and were treated so mercifully that they might actually conclude that it was better to be against this prince than to be for him!

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<sup>1</sup> Cicero: *Philippicae*, 2.36

<sup>2</sup> Publius Cornelius Scipio Africanus (235-183 BC): Roman statesman and general also known as Scipio Africanus and Scipio the Elder. Fought in the Second Punic War

<sup>3</sup> Livius: *Ab urbe condita*, 26.49

<sup>4</sup> Carlo Malatesta (1368-1429): Italian condottiere and Lord of Rimini

[77] Sunt enim quidam homines<sup>1</sup>, qui velut equi, quanto magis illis indulgetur, tanto majori petulantia sunt. Franciscus Carminiola<sup>2 3</sup> sub hoc principe militavit, divitiisque honoreque auctus ad hostes confugit, magnaque clade veterem saepe dominum affecit. Hujus apud hostes defuncti filias<sup>4</sup> suscepit egregioque<sup>5</sup> matrimonio copulavit, uxori Carminiolae<sup>6</sup> bona omnia<sup>7</sup> restituit. Qualem vero serenissimis<sup>8</sup> se<sup>9</sup> Aragoniae<sup>10</sup> Navarraeque regibus<sup>11</sup> exhibuerit, nulla terrarum portio non audivit: hoc omnem exsuperat<sup>12</sup> magnificentiam. En dux ipse cum alibi alios hic se ipsum<sup>13</sup> magnificentia superavit. O genus egregium! O proles verissima Galeazii. Estne hominum ulla conditio, quae non te diligit? Estne *gens ulla tam barbara, tam effera*, tam ab omni humanitate alienata<sup>14</sup>, quae tuo nomini non afficiatur? Hic est quem colere omnes debent, *cum propter virtutem et probitatem*, sicut Cicero<sup>15</sup> credit, *etiam eos quos numquam<sup>16</sup> vidimus<sup>17</sup>, diligamus*, quem hostes, sicut ego puto, talia in dies<sup>18</sup> audientes non possunt non laudare.

[78] Hunc ergo quis neget erga omnes esse benignum, cum benignissimum semper in hostes repperierimus<sup>19</sup>? Quis umquam ad eum venit non benigne magnificeque<sup>20</sup> receptus? Incredibile vobis<sup>21</sup> videretur, si pecuniarum illam explicarem summam, qua quotannis<sup>22</sup> transeuntes dominos et ad se venientes honorat oratores. Cujus rei<sup>23</sup>, si Papiam elegeritis<sup>24</sup>, experimentum principum oratores praelatique videbunt, quorum nemo indonatus abibit. Esset mihi magna copia memorandi plurimos, qui domo extorres patriaque pulsi ducali pecunia vitam agunt.

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<sup>1</sup> quidam homines : homines quidam K

<sup>2</sup> Carmagnola K

<sup>3</sup> Carmaniola A; Carmagnola *in marg.* K

<sup>4</sup> filia E

<sup>5</sup> egregio B, E

<sup>6</sup> Carmagnolae K

<sup>7</sup> bona omnia : omnia bona K, V

<sup>8</sup> serenissimus F

<sup>9</sup> *omit.* B, C, E, H, V

<sup>10</sup> Reges Aragonum et Navarrae *in marg.* A, K

<sup>11</sup> **sese add. H, V**

<sup>12</sup> exuperat B, C, D, E, G, H

<sup>13</sup> magnificentiam ... ipsum *omit.* E

<sup>14</sup> aliena V

<sup>15</sup> Cicero *in marg.* A, K

<sup>16</sup> unquam V

<sup>17</sup> maxime *add.* E

<sup>18</sup> **in dies : dietim H, K, V**

<sup>19</sup> reperimus/repperimus B, D, E, G; reperuerimus A, H; repererimus/reppererimus C, D, F, G, MA

<sup>20</sup> **magnificentissimeque H, V**

<sup>21</sup> nobis V

<sup>22</sup> tot annis K

<sup>23</sup> *omit.* F

<sup>24</sup> eligeretis D; eligeritis E, H, V

[77] Some men, like horses, grow more snappish the more they are indulged. Francesco Carmagnola<sup>1</sup> fought under this prince, who loaded him with riches and honours. He then fled to the duke's enemies<sup>2</sup> and several times inflicted severe defeats on his former master. When Carmagnola died in enemy country,<sup>3</sup> the duke received his daughters, arranged excellent marriages for them, and restored all his property to the widow.

Also, the whole world knows how he behaved towards the Most Serene Kings of Aragon<sup>4</sup> and Navarra<sup>5</sup>: beyond all conceivable generosity! Indeed, the duke may on other occasions have surpassed everybody else in generosity, but here he surpassed himself.

Oh, eminent lineage! Oh, true child of Galeazzo!<sup>6</sup> Is there any sort of man who does not love you?<sup>7</sup> *Is there any people so barbarous, so obtuse,*<sup>8</sup> so remote from all humanity that they do not cherish your name? Cicero believes that *on account of their virtue and uprightness we feel a sort of affection even for those whom we have never seen.*<sup>9</sup> So, here is one whom all should revere, and I believe that even his enemies must praise him as they daily hear such things about him.

### 5.3.5. Duke's benevolence towards all

[78] Who will deny that this duke is benevolent towards everybody when we see that he has always been extremely benevolent towards his enemies? Who has ever come to him and not been received pleasantly and generously?<sup>10</sup> You would not believe me if I told you how large sums he spends in honouring the lords who every year pass through his realm, and the ambassadors who come to him. If you choose Pavia, the ambassadors and prelates of the princes shall have the same experience: no one will depart without a gift.<sup>11</sup> I also ought to mention the many expatriates and people in exile who are presently living on stipends from the duke.

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<sup>1</sup> Francesco Bussone [AKA Count of Carmagnola] (c. 1382-1432): Italian condottiero

<sup>2</sup> i.e. the Venetians

<sup>3</sup> Executed by his Venetian masters, in 1432

<sup>4</sup> Alfonso V

<sup>5</sup> Alfonso's brother, Juan II (1398-1479): King of Navarre from 1425 and King of Aragon from 1458 to his death

<sup>6</sup> Giangaleazzo Visconti (1351-1402): ruler of Milan from 1385 to his death, from 1395 as duke

<sup>7</sup> Note Piccolomini's use of the rhetorical device of apostrophe, i.e. directly addressing an absent person

<sup>8</sup> Cicero: *Pro Sulla*, 76

<sup>9</sup> Cicero: *De amicitia*, 8.28

<sup>10</sup> Note Piccolomini's use of the rhetorical question, which he employed frequently

<sup>11</sup> Here Piccolomini is somewhat indelicate, cf. his own remarks in sect. 28

[79] Sed jam finem nostra poscit<sup>1</sup> oratio. Quod<sup>2</sup> ea, quae ab initio<sup>3</sup> sumus<sup>4</sup> polliciti, non probasse solum, sed ostendisse planius opinamur. Quare cum hujus principis devotionem erga vos et ecclesiam non minimam neque vulgarem<sup>5</sup> dinoscatis, cum pium, cum justum, cum clementem, cum magnificentissimum ducem videatis<sup>6</sup>, quid est quod ejus vobis suspectam fidem efficiat<sup>7</sup>? Quis timor, quae dubitatio, quae suspicio de isto<sup>8</sup> potest concipi duce<sup>9</sup>? Nihil profecto est quod Papiam repudietis. Hic quae ad Graecos opus<sup>10</sup> sunt habetis. Hic papa cum concilio potest convenire. Hic domos egregias. Hic victualium invenietis copiam. Hic securitas, hic libertas ostenditur. Hic principem amicum<sup>11</sup> nacti estis, cujus vetus<sup>12</sup> et probata est amicitia, quem si novis postponatis amicis a Ciceronis consilio recedatis, cujus haec de amicitia verba leguntur<sup>13</sup>: {12r} *Existit autem hoc<sup>14</sup> loco quaedam quaestio subdifficilis, numquid amici novi digni<sup>15</sup> amicitia veteribus amicis sint anteponendi.* Homine<sup>16</sup> indigna dubitatio.

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<sup>1</sup> possit E

<sup>2</sup> quare MA

<sup>3</sup> ab initio : a principio V

<sup>4</sup> scimus F

<sup>5</sup> **vulgantem H**

<sup>6</sup> **cognoscatis H, V**

<sup>7</sup> faciat G, M; efficiatur V

<sup>8</sup> ipso G, M

<sup>9</sup> principe V

<sup>10</sup> **necessaria H, V**

<sup>11</sup> *omit.* G, M

<sup>12</sup> **vera H, V**

<sup>13</sup> Cicero *in marg.* A, K; Cicero de amicitia *in marg.* D; Tullius de amicitia *in marg.* G

<sup>14</sup> **in add. H, V**

<sup>15</sup> **digna H**

<sup>16</sup> **hinc H**

## 6. Conclusion

### 6.1. Pavia is the best choice in all respects

[79] But our oration now approaches the end. We conclude that we have not only shown, but indeed proven what we promised in the beginning. You must acknowledge that the devotion of this prince towards you and the Church is neither small nor ordinary, and that he is a pious, just, clement, and generous duke. Then, how could you doubt his trustworthiness? Why should you fear, doubt, and distrust him? There is simply no reason to reject Pavia. Here<sup>1</sup> you have everything needed in relation to the Greeks. Here the pope can meet with the council. Here you will find stately houses and ample provisions. Here security and independence are manifest. Here you have gained a prince as friend, and one whose friendship is old and proven. If you prefer other, new, friends to him, then you will disregard the advice of Cicero, who has written this about friendship: *But at this point there arises a certain question of some little difficulty: are new friends who are worthy of friendship at any time to be preferred to old ones.*<sup>2</sup> To doubt him is unworthy of a man!

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<sup>1</sup> Note Piccolomini's use of two classical rhetorical devices, which he employed frequently: the *anaphora* (repetition) with dramatic effect ("hic ... hic ... hic ... hic ... hic ..."), and the *accumulatio*, i.e. the piling up of persuasive reasons and arguments

<sup>2</sup> Cicero: *De amicitia*, 19.67

[80] Non enim debent<sup>1</sup> esse amicitiarum, sicut aliarum rerum satietates<sup>2</sup>, veterrima quaeque<sup>3</sup> ut ea vina, quae vetustatem ferunt, esse debent suavissima. Verum illud est quod dicitur: *Modios multos salis simul edendos esse, ut amicitiae munus expletum sit*. Pythagoras<sup>4</sup> vero *haud*<sup>5</sup> *inijciendam unicuique dexteram* dicebat, *id est non prompte aut inconsulto conciliari oportere*, sicut Plutarchus<sup>6</sup> interpretatur. Idem quoque ait, *quae nigrantes habent caudas, gustari non oportere*, quae ideo dicta sunt, ut in rebus agendis illorum conditiones diligenter investigemus, cum quibus contrahimus.

[81] Hoc etiam facit, ut intentiones eorum considerare debeatis, qui concilium petunt. In qua re de aliis vos judicetis, ego de duce dicam<sup>7</sup>, quem<sup>8</sup> tres causae potissimum movent<sup>9</sup>: ut requisitus satisfiat, ut in re fidei praesto sit, ut ab omni vos periculo subtrahat. Versatus namque in rebus arduis princeps multorum dominorum diversarumque communitatum<sup>10</sup> per sploratores<sup>11</sup> secreta cognoscit timetque, ne locum eligatis, qui vobis perditioni fiet. Cupit ab omni vos fraude omnique periculo eripere. In qua re, patres optimi, sic precor excubetis, ut nihil improvisum accidere possit, nihil inopinatum, nihil omnino novum. Atque ita acerrimam in omnes partes<sup>12</sup> aciem intendatis, ne qua fraude capiamini.

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<sup>1</sup> debet G, H, V, MA

<sup>2</sup> satietas D, V; societates F; sacietas G, H; societates K, MA

<sup>3</sup> quoque V

<sup>4</sup> Pithagoras *in marg.* A, K

<sup>5</sup> **aut H, V**

<sup>6</sup> Plutarchus *in marg.* A, K

<sup>7</sup> Quare dux petit concilium *in marg.* A, K

<sup>8</sup> quae MA

<sup>9</sup> movent K

<sup>10</sup> diversarumque communitatum : diversorum comitatum V

<sup>11</sup> exploratores G, MA; exploratores ex sploratores D; spoliatores [sic!] H; sproratores [sic!] V [NB: Example of error in the Early/Intermediate Version, corrected in the Final Version]

<sup>12</sup> **mentis add. H, V**

## 6.2. Appeal to friendship and caution

[80] For though you may grow tired of other things, you should not grow tired of friendship. Indeed, old friendships should be the sweetest ones - like old wines. But it is also true, as they say, that *men must eat many a peck<sup>1</sup> of salt together before the claims of friendship are fulfilled.*<sup>2</sup> And Pythagoras<sup>3</sup> said that *one should not shake hands with everybody*, which Plutarch<sup>4</sup> interprets in the sense that *one should not make alliances rashly or unthinkingly.*<sup>5</sup> He also says that *you should not eat things with black tails.*<sup>6</sup> By this he means that in all our affairs we should carefully consider the circumstances of the people with whom we are dealing.

[81] Therefore, we should examine the intentions of those parties who are seeking to host the council.<sup>7</sup> You yourselves will assess the other parties, but I shall speak about the duke who is most concerned with three things: to meet your requirements; to be zealous in the matter of the Faith; and to remove all risk to you. For being placed in a highly perilous situation, the prince endeavours to know, through spies, the secrets of many lords and various city states,<sup>8</sup> and he fears that you will choose a location which will be your ruin.<sup>9</sup> He wants to remove all danger from you. In this matter, excellent Fathers, I implore you to be vigilant and not to allow anything unforeseen, surprising or wholly new to happen. Keep careful watch in all directions so that you may not be deceived.

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<sup>1</sup> Modius: Roman measure of grain, the equivalent of 10,5 lit.

<sup>2</sup> Cf. Aristotle: *Eth. Eudem.*, 7. 2; *Eth. Nic.*: 8.3.8. Quoted by Cicero: *De amicitia*, 19.67

<sup>3</sup> Pythagoras (ca. 570-ca. 495 BC): Greek philosopher

<sup>4</sup> Plutarch (ca. 46-120): Greek historian

<sup>5</sup> Verbatim quote from Guarino Veronese's translation from Greek into Latin of Plutarch's *De Liberis educandis*, p. 7

<sup>6</sup> Verbatim quote from Guarino Veronese's translation from Greek into Latin of Plutarch's *De Liberis educandis*, p. 7

<sup>7</sup> E.g. Avignon (France), Savoy, Venice, Florence, Perugia, cf. sect. 1 above

<sup>8</sup> The development of the spying, i.e. intelligence gathering systems of Renaissance rulers was evidently neither secret nor shameful, but on the contrary the mark of a prudent prince

<sup>9</sup> Piccolomini hints that the duke may have acquired knowledge about the motives of other interested parties, e.g. the King of France, who might not be acting in the best interests of the council

[82] Hic, te precor, humanissime pater cardinalis sanctae Sabinae<sup>1</sup>, intendas, ne quam pluribus annis summo labore summaque vigilantia<sup>2</sup> famam perquisivisti, unus dies eripiat<sup>3</sup>, quamquam, quidquid eveniat, Bohemicae<sup>4</sup> reductionis te laus assequatur. Sed majorem tibi Graecia laudem attulerit, si locum periculosum effugiens in eo consenties, in eoque alios animabis, ubi sine periculo maturari negotium possit.

[83] Nec te inoratum<sup>5</sup>, integerrime pater, relinquam, cardinalis sancti Petri<sup>6</sup>, qui non tuo solum hic<sup>7</sup> nomine, sed papali<sup>8</sup> regioque<sup>9</sup> praesides: aspice quod te dignum est, quod summo pontifici conveniat, quod regi illi potentissimo victoriosissimoque consentaneum existimas<sup>10</sup>. Neque te hic neque tuum regem<sup>11</sup> passio ducit<sup>12</sup>: ille pro fide in patria pugnat, de cujus laudibus bellicisque triumphis non nihil explicuissem, nisi oratores ejus, viros literatissimos atque ornatissimos patres, Concensem Burgensemque praesulem, ante oculos cernerem, qui et ornatus et melius rem valeant absolvere. Tu hic rei fidei curam adhibes: nunc opus, nunc labor est, nunc tua industria viderit, ne loco inepto consentiamus.

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<sup>1</sup> Cardinalis sanctae Sabinae *in marg.* A, K

<sup>2</sup> summaque vigilantia: *omit.* B, E

<sup>3</sup> arripiat V

<sup>4</sup> Bohemiae F

<sup>5</sup> ignoratum K

<sup>6</sup> Cardinalis sancti Petri *in marg.* A, K

<sup>7</sup> tuo solum hic : solum tuo hic D, G, M; tuo hic solum V

<sup>8</sup> populi MA

<sup>9</sup> hic *add.* G, MA

<sup>10</sup> estimas A, H

<sup>11</sup> Rex Castellae et oratores sui *in marg.* A

<sup>12</sup> passio ducit : sinistra ducit affectio H; affecti sinistra ducit affecti [*sic!*] V

### 6.3. Appeals to cardinals and prelates

[82] Now, I beseech you, benevolent Father and Cardinal of Santa Sabina<sup>1</sup>: take care not to lose in one day the reputation which you have built over many years, with considerable effort and diligence. Whatever happens, you will always be praised for bringing back<sup>2</sup> the Hussites.<sup>3</sup> But Greece will bring you even greater honour if you avoid a perilous location and if you consent - and make others consent - to a location where the whole undertaking may be concluded in safety.

[83] I also appeal to you, honourable Father, Cardinal of San Pietro<sup>4</sup> who presides<sup>5</sup> here not only in your own name, but also in the name of the pope and in the name of your king.<sup>6</sup> Consider what is worthy of you yourself, convenient for the Supreme Pontiff, and agreeable to your mighty and victorious king. Neither you nor your king is moved by passions. He is battling for the Faith<sup>7</sup> in his own country, and I would have said something about his merits and military triumphs if his own ambassadors, the learned and excellent Bishops of Cuenca<sup>8</sup> and Burgos,<sup>9</sup> had not been present. For they are certainly able to speak better and more brilliantly on this subject than I. So, consider the matter of the Faith carefully and make every effort to prevent us from agreeing to an unsuitable place.

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<sup>1</sup> Giuliano Cesarini (1398-1444). Cardinal (1426), papal legate, President of the Council, mentor and friend of Piccolomini. Little did Piccolomini know that one day he himself would succeed him as Cardinal of Santa Sabina

<sup>2</sup> "reductio": i.e. bringing back the Hussites to the fold of the Roman Catholic Church

<sup>3</sup> The Hussites were reconciled with the Church at the Council of Basel through the agency of Cardinal Cesarini. The agreement between the Hussites and the council was called the Hussite Compacts. Later in his career, Piccolomini, who had direct knowledge of the Hussites from a visit to Bohemia, defended confirming the agreement (see oration "*Res Bohemicas*" [28], 1455), but as a pope he definitively abrogated it (cf. oration "*Superioribus diebus*" [66], 1462)

<sup>4</sup> Juan Cervantes (1380/1382-1453): created cardinal by Pope Martin V in 1426. On 27 March 1436, Cardinal Cervantes returned to Basel. In 1436, Piccolomini became his private secretary, and later they became colleagues and friends

<sup>5</sup> It is uncertain what Piccolomini means by "preside" (praesides) in this context. Cardinal Cervantes was in Basel as the pope's representative, and seemingly also at the same time representing the King of Castile. However, royal ambassadors did not, as such, preside over the council

<sup>6</sup> Juan II of Castile (1405-1454): King of Castile from 1406 to his death

<sup>7</sup> I.e. against the Moorish Kingdoms in the South of Spain

<sup>8</sup> Alvaro de Isorno: Bishop of Cuenca

<sup>9</sup> Alfonso García de Santa María (1384-1456): Archbishop of Burgos (1435)

[84] At te, praestantissime pater cardinalis Arelatensis<sup>1</sup>, tanto minus oravero, quanto {12v} magis ad rem ipsam te video animatum. Quod si umquam invigilasti, si semper constans firmusque fuisti, si semper concilii profectum desiderasti, hic aures, hic mentem<sup>2</sup> arrige: nunc tua probitas, nunc tua diligentia pateat. Idcirco namque cardinales<sup>3</sup> vocamini, quod<sup>4</sup> quasi cardines ecclesiam sustinetis.

[85] Sic vos alios<sup>5</sup> praelatos oro atque obsecro<sup>6</sup>. Sic vos omnes precor ecclesiasticos: aspiciate quae fidei<sup>7</sup>, quae justitiae sunt, abjicite<sup>8</sup> passiones, regem illum Christianissimum imitemini, qui nulla victus<sup>9</sup> cupiditate ibi locum eligi<sup>10</sup> rogat, ubi geri negotium melius existimetis<sup>11</sup>, ubi quae fidei et quae concordiae sunt valeant terminari. Quae secundum alios alibi, secundum me tutius in Papia conficiantur<sup>12</sup>. Nec enim video, quo<sup>13</sup> commodius, aut liberius esse possitis. Itur namque ad principem benignum et vestri<sup>14</sup> coetus amantissimum, qui fraudes non modo non<sup>15</sup> instruit<sup>16</sup>, sed prorsus ignorat, cujus animus nihil nisi altum ac magnificum cogitat. Consultius est principi se nobili et nihil praeter honorem cupienti committere quam vulgo<sup>17</sup>, quod est plerumque ingenio<sup>18</sup> mobili<sup>19</sup>, seditiosum atque discordiosum<sup>20</sup>, cupidum novarum rerum, quieti et<sup>21</sup> otio adversum, de quo Virgilius<sup>22</sup>:

*Scinditur incertum studia in contraria vulgus.*

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<sup>1</sup> Cardinalis Arelatensis *in marg.* A, K

<sup>2</sup> mente F

<sup>3</sup> Cardinales quare *in marg.* C, D, G

<sup>4</sup> quia MA

<sup>5</sup> **aliosque H**

<sup>6</sup> atque obsecro: atque obtestor G; ac obtestor MA

<sup>7</sup> et *add.* C

<sup>8</sup> sunt abjicite : abicitae sunt V

<sup>9</sup> vobis K

<sup>10</sup> *omit.* B, E

<sup>11</sup> **estimatis H, K**; extimetis V

<sup>12</sup> conficiatur K

<sup>13</sup> **in loco add. H, V**

<sup>14</sup> nostri V

<sup>15</sup> *omit.* A, B, C, E, F [non *interlin.* D] [*example of D correcting A*]

<sup>16</sup> instituit V

<sup>17</sup> De vulgo *in marg.* A

<sup>18</sup> inge... [*sic!*] V

<sup>19</sup> nobili E

<sup>20</sup> atque discordiosum *omit.* B, E

<sup>21</sup> *omit.* F

<sup>22</sup> Virgilius *in marg.* A, K

[84] And you, eminent Father, Cardinal of Arles<sup>1</sup>: I need not appeal to you as I see how deeply you are engaged in this whole matter.<sup>2</sup> Be vigilant, constant and firm, and devoted to the council as you have always been: now is the time for you to listen carefully, now you must show your integrity and diligence! For the reason that you cardinals are called Cardinals is that you are the ‘Cardines’ (hinges) of the Church.

[85] In the same way, I implore and beseech all you other prelates and clergymen<sup>3</sup>: support Faith and justice, throw off passions, and imitate the Most Christian King.<sup>4</sup> For this king is not a victim to self-interest, but wants us to choose the location where you think the council can best be held<sup>5</sup> and where the matter of Faith and concord can be successfully concluded. Others may think differently, but I believe that Pavia is the safest place for this. I really do not see where you could stay in greater comfort and independence, for you would be going to a benevolent prince who fully supports your cause. He does not order others to engage in any deceit, and he himself is entirely without such.<sup>6</sup> He will only contemplate that which is noble and generous. It is safer to entrust yourselves to a noble prince who desires only what is honourable than to the common people which is mostly unstable, seditious, quarrelsome, eager for political change, and opposed to peace and quiet.<sup>7</sup> As Virgil<sup>8</sup> says:

*The wavering crowd is torn into opposing factions.*<sup>9</sup>

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<sup>1</sup> Louis Alleman (ca. 1390-1450): Cardinal (1426). Leader of the French party at the council and virulently antipapal

<sup>2</sup> Appealing directly to the French cardinal in favour of Pavia would not only be futile, but also insolent as the cardinal would certainly want to move the council to France. Piccolomini would later become his friend, only to disappoint him when later again he switched to the papal party

<sup>3</sup> Piccolomini seemingly did not appeal to the numerous non-clerical elements of the council to which he himself belonged (though he was later quite critical of the practice of incorporating uneducated laymen, e.g. members of prelates’ retinues, into the council for the purpose of bolstering the number of delegates in general and of followers of the individual prelates in particular)

<sup>4</sup> Charles VII, King of France

<sup>5</sup> At the risk of further aggravating the French party and the Cardinal of Arles, Piccolomini persists in the hypocritical fiction that the French King is truly neutral and does not desire the council to go to a French city

<sup>6</sup> Here Piccolomini stretches the credulity of the assembly quite unreasonably: the Duke of Milan was well-known as a scheming, deceitful prince

<sup>7</sup> Again Piccolomini expresses his contempt of democracy and the common people

<sup>8</sup> Publius Vergilius Maro [AKA Virgil or Vergil] (70-19 BC): Roman poet

<sup>9</sup> Vergilius: *Aeneis*, 2.39

[86] Et cujus vobis fides, quam ipsius principis potest esse securior? Noti sunt vobis mores ejus, neque<sup>1</sup> concipere metum potestis aliquem. Non hic vindictae exactor, non contumeliae illator, non injuriae prosecutor<sup>2</sup>, cujus rei nemo magis didicit oblivisci, qui cum saepe ulcisci potuerit, vindictam tamen semper abhorruit. Hic animum vincere, iram cohibere, victoriam temperare, adversariosque nobilitate, ingenio et virtute praestantes non modo extollere jacentes, sed etiam amplificare eorum pristinam dignitatem exemplo Caesaris consuevit. Huc ergo ite, huc animos intendite<sup>3</sup>. Securitatem utilitatemque vestram agnoscite<sup>4</sup>, discrimina non rerum solum, sed personarum etiam<sup>5</sup> evadite: Accedite<sup>6</sup> hunc<sup>7</sup> qui semper vobis benefecit; ostendite gratitudinem et memoriam beneficiorum.

[87] Sicubi tamen utilius aut melius esse potestis, vestri iudicii sit: nihil erit duci molestum, si bene succedere intellexerit, eumque quocumque pergitis oboedientem habebitis. Vestrum tamen est<sup>8</sup> cavere, ne periculosum eligentes locum et jurisjurandi neglectores suscepti videamini, et - qua nunc apud omnes estis - clarissimam famam amittatis, quo bono nihil est humano generi aut acceptabilius a superis<sup>9</sup> aut praestantius concessum, cujus contemptores haud scio utrum numero sint habendi aliquo, siquidem famae contemptor suae ab eo prodigus appellatur<sup>10</sup>, quem non Apollinis oraculum, sed sacrae litterae<sup>11</sup> judicant sapientem. Finis<sup>12</sup>.

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<sup>1</sup> nec F

<sup>2</sup> **persecutor H**

<sup>3</sup> et *add.* V

<sup>4</sup> cognoscite G, MA

<sup>5</sup> *omit.* K

<sup>6</sup> *ad add. in marg.* C

<sup>7</sup> huc MA

<sup>8</sup> tamen est : est tamen K

<sup>9</sup> aut acceptabilius a superis : **a superis acceptabilis H, V**

<sup>10</sup> appellatus V

<sup>11</sup> Apollinis oraculum, Salomon *in marg.* A, K

<sup>12</sup> *omit.* B, D, E, MA

## 6.4. Final exhortation

[86] And whom can you trust more than this prince? You know his character and cannot possibly fear him. He does not like to pursue vendettas, to raise quarrels, or to repay insults. All such he has learnt, more than any other, to ignore. He could often have sought revenge, but he has always abhorred it. He has perfect self-control, curbs his anger, and is temperate in victory. And when noble, brilliant, and courageous adversaries were lying prostrate and beaten before him, he – after Caesar’s example - not only lifted them up again, but he even raised them above their former position. Therefore, consider Pavia; go there! Recognize where your security and advantage lie. Avoid the risks not only to your possessions, but also to your very persons. Go to him who always favoured you. Show your gratitude and remember his favours towards you.

[87] However, it is only you yourselves who can make the best and most advantageous choice. The duke will accept anything if he sees that you are successful. Wherever you want to go, he will accept it. So, it is up to you not to choose an unsafe location, not to seem to fail your oath, and not to lose the excellent reputation which you now enjoy everywhere. For from Heaven mankind receives nothing more agreeable and admirable than an excellent reputation.<sup>1</sup> I honestly think there must very few, if any, who despise such a reputation! But should there be one, he will surely be called profligate by the One who is called wise – not by the oracle of Apollo,<sup>2</sup> but by the Sacred Scriptures themselves.<sup>3</sup>

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<sup>1</sup> The theme of glory and fame was as dear to the humanists as it was to Antiquity, cf. the introduction to Piccolomini’s “autobiography”, i.e. his famous *Commentarii*

<sup>2</sup> Apollo: major God in Roman mythology

<sup>3</sup> I.e. God (or Solomon cf. the margin note in A)

## Appendix A: Introduction to the oration from mss. BAV / Chis. J.VII.251 (H) and Bibl. Marciana / Lat. XI. 77 (V)

### Oratio super electione loci pro futuro concilio ad reducendos Graecos habita Basileae in congregatione generali per<sup>1</sup> dominum Eneam Silvium Senensem XV kalendas Novembris MCCCCXXXVI

[88] {137r} Magnae saepe res atque arduae, patres reverendissimi, in hoc sacro concilio versatae terminataeque sunt, nulla tamen umquam vel major vel periculosior ea fuit, de qua nunc consultatio vertitur. Non enim agitur modo de supplicationibus aut de principibus<sup>2</sup> invicem conciliandis aut de coercenda nonnullorum contumacia<sup>3</sup> clericorum, sed de augmento fidei, de reductione Graecorum, de infinitarum paene animarum recuperatione, quarum consummatio rerum magnum fructum, magnam gloriam sit allatura, omissio vero non solum vos, sed totam Latinam ecclesiam obscura fama denigret. Et cum hujus rei causa<sup>4</sup> transferendum esse concilium affirmetis, sicuti mea fert opinio, pars non minima totius erit absoluta negotii, si tutum locum et rebus aptum conficiendis<sup>5</sup> amplectemini<sup>6</sup>.

---

<sup>1</sup> elegantem et ornatum virum *add.* V

<sup>2</sup> principatibus V

<sup>3</sup> contumelia V

<sup>4</sup> *omit.* V

<sup>5</sup> conficiundis V

<sup>6</sup> amplectemur V

**Oration on the choice of venue for the future Council of Union with the Greeks, held in Basel, in a General Congregation, by Enea Silvio of Siena, on 17 October 1436**

[88] Reverend Fathers, often have great and difficult matters been treated and concluded in this Holy Council, but none has been greater and more risky than the one we are debating today. For it does not concern petitions, nor the reconciliation of princes, nor curbing the defiance of some or other cleric, but it is about the advancement of the Faith, about reunion with the Greeks, and about the recovery of an almost infinite number of souls. Success in these matters will bring great results and great glory, whereas failure will give not only us, but also the whole Latin Church a bad reputation. Since you declare that the reason for all this is the matter of the relocation of the council, the determining factor in the happy outcome of this matter will be - I think - to agree on a place that is safe and advantageous for the conduct of your affairs.

[89] Quapropter nihil modo magis vellem quam animos omnium in consulendo liberos fore, neque delicto neque libidini obnoxios, ut sine cunctatione locum eligeretis, qui nobis usui securitatis foret, sicque ordinaretis, ut orientali ecclesiae conventiones sine periculo occidentalis servare liceret. In qua re dum saepius ipse considero, dumque rei magnitudinem mecum ipse reputo<sup>1</sup>, ex usu fore considero, si quam multi de re hac<sup>2</sup> sermonem haberent locorumque vobis<sup>3</sup> nominatorum condiciones planius aperirent, quibus ex rebus nihil absurdum putavi, si me quoque quamvis indignum ex vestra<sup>4</sup> contione loquentem audiretis, de nullo alio quam de Papiensi loco verba facientem nullumque omnino injuria lacescentem, nusquam enim, ut puto, fines modestiae<sup>5</sup> sum egressurus<sup>6</sup>, quamquam veritatis inveniendae causa licitum mihi videatur nonnullis posse contradicere, qui ante dixissent<sup>7</sup>. *Haec est enim*, ut scitis dicere Ciceronem, *vetus et Socratica ratio, contra alterius opinionem disserendi*. Nam ita facillime quod verisimillimum esset inveniri posse, Socrates arbitrabatur. Sed vobis magis oboediendum existimavi<sup>8</sup> quam Socrati.

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<sup>1</sup> repeto V

<sup>2</sup> *omit.* V

<sup>3</sup> nobis V

<sup>4</sup> nostra V

<sup>5</sup> *corr. ex molestiae* H; molestiae V

<sup>6</sup> aggressurus V

<sup>7</sup> docuissent V

<sup>8</sup> extimavi V

[89] Therefore, I desire nothing more than that, in this discussion, all minds should be free and not influenced by sin or passion, so that you may without hesitation choose a location that will be advantageous and safe for us, and that you may arrange matters in a way that makes it possible to have agreements with the Eastern Church without detriment to the Western Church. I often think on this matter and ponder its importance, and I consider it to be useful that many should speak and describe more clearly the condition of the venues proposed to you. Therefore I find it reasonable that you should also hear me, though unworthy, speak in your assembly: I shall talk only about the location of Pavia, without insulting anybody else and without transgressing the boundaries of propriety<sup>1</sup> – though, for the sake of finding the truth I consider it legitimate to contradict some of those who have spoken before. For as you know, Cicero states that *this is the old Socratic method of arguing against your adversary's position; for Socrates thought that in this way the probable truth was most readily discovered.*<sup>2</sup> But, of course, I owe greater obedience to you than to Socrates.

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<sup>1</sup> As had Isidoro da Rosate some days before, speaking ill of the pope, cf. Introduction

<sup>2</sup> Cf. Cicero: *Tusculanae disputationes*, 1.4.8

[90] Et licet pater clarissimus, episcopus Albiganensis, vir non solum genere sed animi virtute nobilissimus, qui de rebus arduis se locuturum quamvis gravi confectum valetudine ipse pedibus suis venire non posset, portari se fecit, praestantissimo illi Romano Appio Claudio similem, licet etiam vir consultissimus, dominus Christoforus de Vellate, ducales oratores, licet etiam Isidorus, orator vester diligentissimus, et veri audacissimus explicator, multa de illo Papiensi loco multaque de illo victoriosissimo Mediolanensium duce non minus vere quam eleganter explicaverint<sup>1</sup>, tot tamen illius loci commoditates sunt, tot principis erga vos beneficia, ut nihil mirandum sit, si mihi quoque post se dicendi locum reliquerunt. Namque etsi qui post me velint dicere, patentem eis campum materiamque relinquo.

[91] Vos tamen, patres optimi, ne me – oro - contemnite, si privatus {137v} abjectusque homuncio fuerim<sup>2</sup>. Expedit enim in rebus arduis non auctorem<sup>3</sup> spectare, sed rationem, neque ita facere decet<sup>4</sup>, quemadmodum de Pythagoricis accepimus, quos ferunt siquid affirmarent in disputando, cum ex his quaereretur, quare ita esset, respondere solitos “Ipse dixit” – ipse autem erat Pythagoras - me namque si non auctoritas, at saltem ratio facit audiendum, nihil enim me dicturum censeo, quod non ex ratione consistat, quare, si placet, si ne<sup>5</sup> consonum est ea audire, quae commoda vestra concernunt, sinite ut ea, quae cogitavi, proferantur<sup>6</sup> in medium ut melius unicuique deliberandi praebeant<sup>7</sup> facultatem, quae omnia iudicio vestro relinquo et vestro mando examini, ut siquid boni verique afferro, amplectamini, siquid mali falsique est, id totum respuatis.

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<sup>1</sup> explicaverit V

<sup>2</sup> fuero V

<sup>3</sup> auctoritatem V

<sup>4</sup> dicet V

<sup>5</sup> si ne : sive V

<sup>6</sup> *corr. ex scripsi legantur H; cogitavi proferantur : scripsi legantur V*

<sup>7</sup> praebeat V

[90] Until now, three men have said much, both truthfully and elegantly, about the venue of Pavia and about the victorious Duke of Milan. They were the ducal ambassadors, one the illustrious Father, the Bishop of Albenga, a man distinguished not only by his family, but also by his virtue of mind (who, having to speak about grave matters and being too ill to walk, had himself carried to this place, like the eminent Roman, Appius Claudius), and the other Christophoro da Velate, a very able man. The third one was Isidoro, your own very diligent orator and a bold proponent of truth. Still I think that so many are the advantages of that place<sup>1</sup> and so many the favours shown to you by the prince that it is not strange at all if those speakers left something for me to say, too. And if others want to speak after me, I also leave them an open field and matter for discourse.

[91] But you, good Fathers, should not despise me, even though I am a private, insignificant person. For in grave matters one should not look to the speaker, but to the argument. And you should not do as we hear that the Pythagoreans did: if they had made a statement during a disputation and were asked why it was so, they used to reply: "He said so,"<sup>2</sup> "He" being Pythagoras. For I should be heard not because of my authority, but because of my reasoning. I do believe that I shall not be saying anything contrary to reason. Therefore, even if you wish to hear something that is to your advantage, please allow me to bring forward my thoughts on the matter and let them provide an opportunity for everybody to join the discussion. But my whole contribution I leave to your judgment and submit for your consideration: if what I say is good and true, then please accept it; and if it is bad and false, then reject it all.

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<sup>1</sup> I.e. Pavia

<sup>2</sup> Cicero: *De natura deorum*, 1.5.10

## Appendix B: Introduction to the oration from the manuscript Bibl. Ambrosiana / M.44 Sup

### Aeneae Sylvii Piccolominei Oratio ad Patres Concilii Basiliensis<sup>1</sup>

[92] {102r} Etsi numquam ante, patres reverendissimi, vestra me contio loquentem audiverit, nihil est tamen quod petitiunculae meae negetis assensum. Rebus namque feliciter succedentibus vana penitus erat oratio. Nunc vero cum translationem concilii Graecorumque reductionem in medium video revolutam variasque diverse trahentes aspicio voluntates, maxime timeo, ne discordia vestra magnum aliquod pariat malum. Nec enim ab Latinis solum Graeci secessere, sed cum vestro etiam concilio papa dissentit, et, quod magis abhominor, concilium inter se divisum cerno, quae sane divisio non aliunde procedat quam ex loci nominatione, quod patriae quisque suae nimis afficitur privatisque magis commodis quam publicae studet utilitati. Ob quam rem nihil modo magis vellem quam animos omnium in consulendo liberos fore neque delicto neque libidini obnoxios, ut sine cunctatione locum eligeretis, qui vobis usui ac securitati foret. Sicque ordinaretis in orientali ecclesiae conventiones sine periculo occidentalis servare liceret. In qua re dum saepius ipse considero dumque sententias nonnullorum mecum ipse reputo ex usu fore putavi, si qua ego circa rem scribens diuturnum tandem silentium interrumperem subtilique indagazione locum invenirem, qui tutior ac melior esset, ad quem cuncti sine controversia deberetis accedere. Scripsi ergo circa materiam electionis loci quantum mihi {102v} visum est oportere. Quare, si placet sive consonum est ea audire, quae commoda vestra concernunt, sinite ut haec mea scripta legantur in medium, quae melius unicuique deliberandi praebeant facultatem.<sup>2</sup>

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<sup>1</sup> *In another, later hand*

<sup>2</sup> *Here follows a clear separation of the introduction from the main text introduced by Audivi*

## Oration of Enea Silvio Piccolomini to the Fathers of the Council of Basel

[92] Though this assembly has not heard me speak before, Most Reverend Fathers, you should not refuse to hear my small address. For when things were going well, my oration would have been superfluous. But seeing that the transfer of the Council and the Reunion with the Greeks are now under discussion, and noting that various interests<sup>1</sup> are pulling you in different directions, I fear exceedingly that your disagreement will cause some great evil. For not only have the Greeks withdrawn from the Latins,<sup>2</sup> but the pope is in open conflict with your council, and - what I greatly abhor - the council is even divided internally. This conflict is caused by the choice of the future venue of the council, since everyone excessively favours his own country and is more concerned about private advantages than the public good.

Therefore, I desire nothing more than that in this deliberation all minds should be free and not influenced by sin or passion so that you may without hesitation choose a location that will be advantageous and safe for you, and thus make it possible for you to come to an agreement with the Eastern Church that is not detrimental to the Western. I often think on this matter and, reflecting on the judgments of many others, I considered that it would be useful to write on it and, breaking my long silence, through careful examination determine a place that is safer and better and where you may all go without discord. I have therefore written about the matter of choosing a venue, as much as it has seemed needful to me. Therefore, if it pleases you and is agreeable to hear what is to your own advantage, then allow me to read to you what I have written and which may provide everybody with a better basis for discussion.

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<sup>1</sup> "voluntates"

<sup>2</sup> I.e. from union with the Latin Church

## Appendix C: Textual history of the “*Audivi*”

The collation of the various texts of the oration support the hypothesis that there are at least three versions of the text:

An Early Version with a foreword beginning with the words “*Magnae saepe res*” (H, V).

A Middle Version with a foreword beginning with the words “*Etsi numquam*” (K).

And a Final Version forming part of the Collected Orations of Pope Pius II, prepared under his direct supervision, as pope, in 1462, and beginning with the word “*Audivi*” (the seven other manuscripts).

There may, of course, be other versions, not extant or known, and even an earlier one than the “*Magnae saepe res*”.<sup>1</sup>

Apart from the introduction, the differences between the three versions of the “*Audivi*” are mostly differences of style (e.g. vocabulary and word order) and not of substance. A notable instance of a difference in substance is the case of *ultores* vs. *occultores* and *cultores*, see below.

The theoretical question may be raised if the “*Magnae saepe res*” version and the “*Etsi numquam*” version could conceivably be later than the “*Audivi*” version prepared at the middle of Pius’ pontificate. Apart from features of the textual transmission, both external and internal features point to “*Magnae saepe res*” being the earlier version.

Firstly, it is difficult to believe that the old and sick pope would, shortly after having supervised the first edition of his collected orations, have written another version of the first oration, adding a new introduction. Secondly, if the “*Magnae saepe res*” was the later version, it is curious that it was not at all picked up in the later manuscript editions of the anthology.<sup>2</sup> Thirdly, the title of the “*Magnae saepe res*” reflects Piccolomini’s early status (“*per dominum Eneam Silvium Senensem...*”). If it is a reedited version of the “*Audivi*”, it seems strange that the title of the “*Audivi*” reflecting Pius’ papal status would have been dropped. Fourthly, there are some redundancies between the introduction to the “*Magnae saepe res*” and the main text which would be difficult to explain if they had been added to a version dated subsequently to the already thoroughly edited version prepared for the Collected Orations. And fifthly, in the introduction to the “*Magnae saepe res*” there is mention of the episode of the Bishop of Albenga being carried into the assembly which might be meaningful in the actual context of the oration, but less so in an edition done almost thirty years later.

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<sup>1</sup> Certain features of the “*Magnae saepe res*”, like repetition of phrases in the introduction and the main text, point to it being an unfinished revision of the original text (e.g. the duplicated compliment to the Bishop of Albenga (*vir non solum genere sed animi virtute nobilissimus, sect. 72 and 90*))

<sup>2</sup> Cf. *Collected Orations of Pope Pius II*, ch. 2.5.1

The matter has yet to be discussed by scholars. However, a reasonable working hypothesis is that the "*Magnae saepe res*" is or is close to the original version of the oration as held by Piccolomini in Basel, whereas the "*Audivi*" is the final edition.

Apart from the introduction, the one substantial difference between the earlier versions and the final version of the "*Audivi*" concerns the expression "**troianae ruinae ultores**", used in the "*Magnae saepe res*" and the "*Etsi numquam*".

Chisianus 284 (A), the oldest manuscript containing the Collected Orations and produced under Pius' direct supervision, has the expression "**troianae ruinae occultores**", cf. sect. 21.<sup>1</sup> The somewhat later manuscripts, Vaticanus Latinus 1788 and the Chisianus 286, associated with the pope's humanist protégé, Cardinal Piccolomini Ammanati, have "**troianae ruinae ultores**", while the even later Chisianus 211, associated with the Cardinal Nephew, Francesco Piccolomini Todeschini, has "**troianae ruinae cultores**".

These variants do not seem to be due to scribal errors, but to intentional editing of the text. Both **occultores** and **cultores ruinae trojanae** are somewhat artificial, whereas **ultores ruinae trojanae** is a well-known Renaissance topos connected with the Turks. Since in 1436 Piccolomini thought that the Turks were descended from or related to the Trojans, he might quite naturally have used the term **ultores ruinae trojanae** about the Turks. This term with its implications of Turkish relatedness to the Trojans he quite emphatically rejected later when he read had Aethicus and Otto von Freising and - under the impression of the Turkish expansion into Europe and the fall of Constantinople - developed the conception of the Turks as a barbaric people descending from those proto-barbarians, the Scythians. And when, as pope, he made this thesis central to his campaign for a crusade against the Turks, it became rather awkward for him to publish an edition of his orations where, in his very first oration, he called the Turks the avengers of Troy, implying that they were the descendants of the Trojans. So, it may reasonably be hypothesized that he had **occ-** added to **ultores**, making the Turks the "occultores" instead of the "ultores" of the destruction of Troy, meaning more or less that they would hide or cover up that destruction.

In the manuscripts associated with the humanist Cardinal Ammanati (Vat. Lat. 1788 and Chis. 286) the **occultores** was changed back to **ultores**, as being the more correct phrase.

In the manuscript associated with the Pope's nephew, Cardinal Todeschini-Piccolomini (Chis. 211), the **occultores** was changed to **cultores**, meaning "those who cultivate the [former,] ruined lands of the Trojans".

This issue will have to be examined further, but it seems a defensible position that here we have a rare example of an earlier speech being modified to fit the later development of Piccolomini's thought and the political situation of his pontificate.

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<sup>1</sup> Possibly later corrected to "cultores"

**(Orations of Pope Pius II; 2)**

**Oration “*Si quis me roget*” of Enea Silvio Piccolomini (4 April 1438, Basel). Edited and translated by Michael von Cotta-Schönberg**

**Preliminary edition, 7th version**

**2019**

## **Abstract**

On 4 April 1438, the Feast of Saint Ambrose of Milan, Enea Silvio Piccolomini gave an oration, or rather a sermon, on Saint Ambrose to the Fathers at the Council of Basel. A couple of months before, the council had initiated the procedure for the deposal of Pope Eugenius IV and the later election of a new pope. In the sermon, Piccolomini presented a sketch of the life of Saint Ambrose, with special emphasis on his literary activities, his example of poverty as opposed to the vice of greed, and his independence vis-à-vis princes, i.e. the Roman Emperor. He also defended the use of classical pagan authors. In contrast with medieval hagiography he did not not greatly dwell of Ambrose's miracles.

## **Keywords**

Enea Silvio Piccolomini; Aeneas Silvius Piccolomini; Aeneas Sylvius Piccolomini; Pope Pius II; Papa Pio II; Saint Ambrose; Saint Jerome; Use of classical, pagan authors; Poverty; Greed; Renaissance oratory; Renaissance rhetorics; Renaissance orations; Saint Augustine; Augustinus; Ambrosius; Renaissance sermons

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# I. INTRODUCTION

## 1. Context<sup>1</sup>

1438 was a momentous year for the Council of Basel. The conflict between Pope Eugenius IV and the council had run its course. The pendulum was swinging back in favour of the pope, and whereas some years before the European powers had mostly favoured the council, the intransigence of the council fathers themselves had now created a climate favourable to the Papacy. Developments in Italian politics favoured the pope, and his success in attracting the Greeks to a Union Council held in his own presence lent him considerable international prestige.

On 18 September 1437, Eugenius IV declared the Council of Basel as ended and indicted another one in Ferrara. On 8 January 1438, the Council of Ferrara opened<sup>2</sup>, and the day afterwards the papal president of the Council of Basel, Cardinal Cesarini, left Basel for good. On 24 January 1438, the Council of Basel suspended the pope and initiated the procedure for his deposition and the later election of another pope.

On 24 March and again on 28 April, the Duke of Milan and Archbishop Pizzolpasso protested against the conciliar process against the pope, but in vain.<sup>3</sup>

The greatest merit of the preceding council, the Council of Konstanz 1414-1418, was to end the Great Schism of the Western Church, with three popes reigning at the same time. The Council of Basel had the serious demerit of creating a new schism, complete with an anti-pope, Felix V. That schism would last for 12 years, and it was to be last in the history of the Church – not counting the protestant reformation.

In 1438, Piccolomini had been made an ordinary member of the council and was one of its trusted officials, though in later writings he may have somewhat exaggerated his own importance. He was firmly on the anti-papalist side, though he was a keen and disillusioned observer of the conflicts between the conciliarist, French-dominated majority at the council and the papalist minority.

He must have been unsure and anxious about whether or not to join the exodus of the papalist party and seek employment in Italy, but he stayed on for a mixture of reasons, thus pursuing a course that - little did he know it - would lead to the Imperial Court and to a brilliant diplomatic and ecclesiastical career.

In 1438, he gave two orations in Basel, the first one a sermon on the Feast of Saint Ambrose, the "*Si quis me roget*", and the second one "*Si ea quae justa*" [4], an address to the council fathers on the scrutiny of candidates for episcopal preferment. He also wrote a speech for the Bishop of Novara to

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<sup>1</sup> Ady, 59; Boulting, pp. 93-94; Mitchell, p. 80; Reinhardt, pp.68-69; Voigt, I, 8, pp. 149-150; I, 12, pp. 226-228

<sup>2</sup> Later the pest made it necessary to move the council to Florence

<sup>3</sup> Paredi, p. 53

be given in Vienna in support of Albert II of Austria accepting his election as the new Roman King and Emperor.

As mentioned, the situation at the council in April 1438 was extremely serious and conflictual. Celebrating the patron saint of Milan, whose duke and archbishop were now in open disagreement with the council over the treatment of the pope, might have been conceived as a hostile political act of the Duke of Milan, but Archbishop Pizzolpasso of Milan was well liked, so on 4 April the council fathers attended the archbishop's pontifical mass in the Cathedral of Basel, and after the gospel they sat down to hear what that excellent official of the council, friend to all parties, the cultured youngish man from Siena, Enea Silvio Piccolomini, would have to say about Saint Ambrose. Hopefully, there would be some of that modern Italian rhetoric, so that it would not be too dull ...

In his *Commentarii*, Pius himself wrote about the event:

*At Basel they were celebrating the feast of St. Ambrose of Milan. At the Archbishop's invitation, Aeneas delivered the eulogy<sup>1</sup> of the saint before the synod, despite the objections of the theologians who wanted to perform this function themselves. But Aeneas was preferred before them all and everyone listened to him with incredible attention.<sup>2 3</sup>*

## 2. Themes

In his oration, Piccolomini does not appear to be overly concerned with – or to follow – the rules for structuring a sermon on a saint established by the traditional *artes praedicandi*: introduction with an invocation of God (prothema), the formulation of the subject matter and the structure of the sermon (thema), the – usually three – parts of the sermon, and the conclusion. The first part would concern the biography of the saint, the second part a vice as opposed to a virtue, and the third part the exemplarity of the saint's life.<sup>4</sup> Instead, Piccolomini used the life of the saint to structure his oration, with intraposition of the themes of criticism of the clergy (greed) and the reading and use of pagan, classical authors.<sup>5</sup>

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<sup>1</sup> The Latin text has "*sermonem de laudibus*"

<sup>2</sup> CO, 8 (Meserve, vol. 1, p. 37)

<sup>3</sup> The oration is not mentioned by Pius' two contemporary biographers, Campano and Platina

<sup>4</sup> Iaria: *Enea*, p. 309

<sup>5</sup> Iaria: *Enea*, p. 314: *Nel sermo di Piccolomini si possono riconoscere le parti canoniche previste dall' ars praedicandi, anche se il sermo tende piuttosto verso l'oratio, non avendo egli separato le parti fra loro così che il passaggio da una all'altra non risulta in realtà così netto.* Cf. McManamon on the sermons of Pierpaolo Vergerio, which were not thematic according to the rules of the *ars praedicandi*, but followed classical norms of panegyrics (McManamon: *Pierpaolo*, p. 179)

## 2.1. Saint Ambrose

The description of Saint Ambrose is appropriately enthusiastic and admiring. Though being limited, in terms of factual knowledge, to what Paulinus and the *Historia Tripartita* could offer, Piccolomini did manage to give a vivid picture of Saint Ambrose, which does not, however, equal the refined and sensitive sketches of personalities that Piccolomini would develop later<sup>1</sup> and in which he would show consummate skill.

## 2.2. Criticism of the clergy

Piccolomini is quite outspoken in his criticism of the clergy. The council fathers might have expected gentle reproaches of various kinds, it was, after all, a sermon. But one may wonder if they would have expected a scathing denunciation of clerical greed and avarice:

*But we today – oh, what shame! – we do not care about men, but about money. We are concerned not about souls, but about silver and gold. A bishopric is valued not for its number of souls, but for the size of its incomes. A diocese may have countless souls and an infinite number of people, but if it is not awash with money, nobody will want to go there, and it will lie about unwanted as if it was a piffling inheritance. However, if a bishopric is prosperous and its incomes large, everybody will turn their eyes towards it. (Sect. 13)*

When he adds that “*nobody is ordained as bishop there after careful scrutiny,*” he refers to another matter being discussed at the council under the heading of church reform, i.e. the scrutiny of candidates for episcopal preferment. That same year Piccolomini, in an official capacity, was to give an oration to the council on this matter, the *Si ea quae justa*, where he pleaded for an effective system for scrutinizing such candidates. In this matter he was not more successful than he would be with his criticism of clerical greed.

## 2.3. Miracles

Piccolomini quoted a number of miracles from Paulinus’ biography of Ambrose: that would be *de rigueur*. But he certainly did not quote them all, and he just briefly referred to them without in any way wallowing in them.

It would appear that, already as a younger man, he held a cautious and somewhat skeptical attitude to miracles which he would also have later in life, even when he became a pope. Then he only refers to direct divine, i.e. miraculous, intervention in the daily affairs of men in connection with weather

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<sup>1</sup> E.g. in his *De viris illustribus*

conditions favouring important outdoor papal ceremonies and, more importantly, battles won by papal armies and allies – or lost because of divine dissatisfaction with the Christians.

## 2.4. Use of classical authors

In the text there are 10 direct references to pagan classical authors, Terence, Juvenal, Gellius, Cicero, Seneca, Lucan, Virgil, and Horace, and 6 indirect references to Hesiod, Pliny, Plato, Homer, and Diogenes Laërtius.

Piccolomini makes the most of Virgil's description of greed, borrowed from Poggio Bracciolini, to press home his point on greed, and here pagan, classical morals fit neatly into the structure of Christian thought (sect. 18). Other uses do not support his religious or moral line of reasoning, but are purely ornamental, like the quote from Horace: *Why as the wheel runs round, does it turn out a pitcher* (sect. 20)?

The use of pagan classical authors was a somewhat controversial issue in the Renaissance, but happily the humanists had found an impeccable Christian authority to legitimize this practice, i.e. three Doctors of the Church, Basil, Ambrose himself and Jerome, whose profound knowledge of the Scriptures and the Church Fathers was based on a solid knowledge of classical literature that Piccolomini would use copiously and continuously (see sect. 23).

Piccolomini does mention Jerome's dream that he had been scourged by an angel because he was too fond of Cicero (sect. 23), but he proceeds to quote Jerome's allegory of the captive woman from Deuteronomy and his famous sentence: *Is it surprising that I too, admiring the fairness of her form and the grace of her eloquence, desire to make that secular wisdom which is my captive and my handmaiden, a matron of the true Israel* (Sect. 24)?

## 2.5. Dependence on princes

The council considered itself the highest authority in religious matters, and ecclesiastics were by then heirs to and keepers of a church culture that fiercely maintained its religious liberty and independence from princes. In the letter of appointment of the President of the Council, Cardinal Giuliano Cesarini, the pope had directly stated that one of the five aims of the council was to preserve the freedom of the Church from secular power.

In his oration “*Audivi*” [1], to the council fathers, Piccolomini had touched on this theme and openly rebuked them for unduly deferring to the princes and not having the courage to do anything that displeased them.<sup>1</sup>

In his sermon on Saint Ambrose, Piccolomini found excellent material for developing this theme in the conflict between Ambrose and Emperor Theodosius whom Ambrose forbade to enter the church before he had made penance for atrocities committed by his army.<sup>2</sup> The point would not have been lost on the council fathers.

## 2.6. Milan

Complimenting the city of Milan on the feast day of its great saint and protector, Saint Ambrose, would be quite natural and the thing to do: *Oh, truly blessed is that city which merited so great a Pontiff* (Sect. 32)! But then Piccolomini continues with two compliments to the Duke of Milan, Filippo Maria Visconti: *Oh, truly happy prince who was given so great a patron! ... Ambrose it is who gives successful wars to our most excellent and wise prince. Ambrose it is who overcomes all the efforts of his enemies.* It is done elegantly as one would expect from this accomplished speaker, but it is nonetheless just an expression of the search for princely patronage that the humanists had to rely on for sources of income.

## 3. Date, place, audience and format

The date of the oration is the Feast of Saint Ambrose, viz. the 4<sup>th</sup> of April.

There has been some doubt concerning the year, some authors giving 1436<sup>3</sup> or 1437<sup>4</sup> and others - including Georg Voigt<sup>5</sup> and Johannes Helmrath<sup>6</sup> - 1438.

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<sup>1</sup> Oration “*Audivi*” [1], sect. 4.4.3

<sup>2</sup> Piccolomini also mentioned this event in his much later work *De Europa* (Brown), p. 104: *On the other shore is Thessalonica, once a powerful city, made famous both by the epistles of the apostle Paul and by the impetuous and implacable anger of Theodosius the Great. In outrage at the murder of some magistrates there, this otherwise most merciful emperor ordered the entire population of the city to be slaughtered. Eleven thousand men are said to have been killed. Ambrose, the bishop of Milan, did not allow so savage a crime to escape rebuke. He barred the emperor from entering the church and compelled him to do penance – nor did the mighty emperor refuse to comply with his pastor’s judgment*

<sup>3</sup> Reinhardt, p. 69: 4 December 1436

<sup>4</sup> Ady, p. 80; Mitchell, p. 80

<sup>5</sup> Voigt, p. 149

<sup>6</sup> Helmrath, p. 140

The year of 1438 seems to be supported by Pius himself who, in his *Commentarii*, describes his journey to Milan to take possession of the provostship of San Lorenzo, to which he had been appointed by Archbishop Pizzolpasso. Later, still in Milan, he is struck with fever and lies seriously ill for two and a half months. He then returns to Basel where *they were celebrating the feast of Saint Ambrose. At the Archbishop's invitation, Aeneas delivered the eulogy of the saint before the synod ...*<sup>1</sup> The next passage begins with the words, *Meanwhile, Emperor Sigismund died (Interea mortuo Sigismundo Cesare)*,<sup>2</sup> meaning during the period when Piccolomini was occupied in Milan, after which he came back and gave the sermon. Sigismund died on 9 December 1437, i.e. 8 months after the Feast of Saint Ambrose in 1437. So, if Sigismund died before Piccolomini held the sermon, the year could be not 1437, but must be 1438.

The sermon was given during a solemn mass celebrated by Archbishop Pizzolpasso of Milan in the Cathedral of Basel.

The audience consisted of the council fathers and their retinues attending the mass.

In the table of contents of both manuscripts containing the text as well as in the title of the text, it is designated as an oration. In his *Commentarii*, Pius himself called it a *sermo de laudibus*.<sup>3</sup>

## 4. Text<sup>4</sup>

The oration is extant in two versions, an Early Version and a Final Version.

### 4.1. Early Version<sup>5</sup>

The Early Version is identical or very close to the oration as delivered by Piccolomini. It is presently known to be extant in three manuscripts:

- **Basel / Universitätsbibliothek**  
A III 38, ff. 145r-150v (**K**)\*  
A IV 5, ff. 255r-260v (**L**)

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<sup>1</sup> CO, I, 8, 6 (Meserve, vol. I, p. 36-37)

<sup>2</sup> CO, I, 9, 1 (Meserve, vol. I, p. 38-39)

<sup>3</sup> *Ibid.*

<sup>4</sup> For the textual transmission of Pius II's, see *Collected Orations of Pope Pius II*, vol. 1, ch. 5

<sup>5</sup> Manuscripts for which an orthographical profile is given in *Collected orations of Pope Pius II*, vol. 11, are marked with an asterisk

- **Roma / Biblioteca Apostolica Vaticana**  
Palat. Lat. 603, ff. 204v-209r (**J**)\*<sup>1</sup>

It appears not to have been edited or collated previously.

## 4.2. Final Version

The Final Version of the orations was included in the Collected Orations of Pius II, but not in the first version of the Collected Orations, compiled in 1462 under the pope's own supervision.<sup>2</sup>

### 4.2.1. Manuscripts

It is extant in two manuscripts:

- **Roma / Biblioteca Apostolica Vaticana**  
Chis. J.VI.211, ff. 14v-21r (**D**)\*
- **Lucca / Biblioteca Capitolare Feliniana**  
544, ff. 17v-24r (**G**)\*

It is not known why the oration was not included in the edition of the Collected Orations from 1462, represented by the manuscript BAV / Chis. J.VIII 284: either it was not available at the time, or it may have been considered that as a sermon it was outside the scope of the collection - though the compilation from 1462 actually did contain another sermon, the "*Non est apud me*" [6]. But it was included in the edition prepared for the Cardinal Nephew in 1463/1464, the BAV / Chis. J.VI.211, from where it was copied into the BCF / 544 in 1493.

### 4.2.2. Editions

The text was published by Mansi three times, all on the basis of the manuscript in Lucca:

- Mansi, Giovanni Domenico (ed.): *[Ad concilia Veneto-Labbeana Supplementum.] Sanctorum conciliorum et decretorum collectio nova: seu collectionis conciliorum ... supplementum.* Tom. V. Lucca, 1751, pp. 1-11

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<sup>1</sup> [http://digi.ub.uni-heidelberg.de/diglit/bav\\_pal\\_lat\\_603/0001](http://digi.ub.uni-heidelberg.de/diglit/bav_pal_lat_603/0001)

<sup>2</sup> See *Collected orations of Pope Pius II*, ch. 5.2

- Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. Tom. I. Lucca, 1755, pp. 39-52
- *Sanctorum Conciliorum et decretorum collectio nova*. Tom. XXX. Venezia, 1792, col. 1207-1216

### 4.3. Present edition

For principles of edition (incl. orthography) and translation, see *Collected Orations of Pope Pius II*, vol. 1, ch. 9-10.

*Text:*

The present edition is based on alle the manuascripts listed above, as well as Mansi's edition.<sup>1</sup> The Chis. J.VI.211 has been chosen as the lead text.

*Pagination:*

Pagination is from the BAV / Chis. J.VI.211.

## 5. Sources<sup>2</sup>

In the "*Si quis me roget*", altogether 104 direct and indirect quotations from various sources have been identified:

Biblical	22
Classical	26
Patristic and medieval	52
Contemporary	4
<b>All</b>	<b>104</b>

This table shows that the biblical and the classical quotations are equal in number, surpassed by patristic and medieval quotations. This is a very different picture from Piccolomini's first oration,

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<sup>1</sup> Mansi's edition has been included for the purpose of assessing its quality

<sup>2</sup> For an analysis of Piccolomini's use of sources, see *Collected Orations of Pope Pius II*, ch. 8

the “*Audivi*” [1], from a year and half before, where there was only one quotation from the bible and the fathers, but 30 from the classics.

### **Biblical sources**

#### Old Testament

Deuteronomy	2
Ecclesiasticus	1
Ezekiel	1
Isaiah	1
Jeremiah	1
1. Kings	1
Proverbs	2
Psalms	3
<b>All</b>	<b>12</b>

#### New Testament

Matthew	3
John	1
Philippians	3
Romans	1
1. Thessalonians	1
1. Timothy	1
<b>All</b>	<b>10</b>
<b>All OT+NT</b>	<b>22</b>

### **Classical sources**

Boëthius	1 <sup>1</sup>
Cassiodorus	3 <sup>2</sup>
Cicero	2
Gellius	3
Homer	1
Horatius	2 <sup>3</sup>
Juvenalis	1
Lucanus	1 <sup>4</sup>
Macrobius	3

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<sup>1</sup> De consolat. phil.

<sup>2</sup> Hist. tripartita

<sup>3</sup> Ars poet. 1; Carmina 1

<sup>4</sup> De bello civ.

Plato	1 <sup>1</sup>
Plinius Sen.	1 <sup>2</sup>
Publilius Syrus	1
Quintilianus	2 <sup>3</sup>
Seneca	1 <sup>4</sup>
Terentius	1 <sup>5</sup>
Valerius Maximus	1
Vergilius	1 <sup>6</sup>
<b>All</b>	<b>26</b>

This list comprises most of the classical authors popular in the Middle Ages and the Renaissance.

### **Patristic and medieval sources**

Ambrosius	1 <sup>7</sup>
Augustinus	2
Basil of Caesarea	5 <sup>8</sup>
Burley	2 <sup>9</sup>
Decretum Gratiani	1
Hieronimus	19 <sup>10</sup>
Paulinus	21 <sup>11</sup>
Zeno Veronensis	1 <sup>12</sup>
<b>All</b>	<b>52</b>

### **Contemporary sources**

Poggio Bracciolini	4 <sup>13</sup>
<b>All</b>	<b>4</b>

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<sup>1</sup> Republic

<sup>2</sup> Hist. naturalis

<sup>3</sup> Institutiones orat.

<sup>4</sup> De clementia

<sup>5</sup> Andria

<sup>6</sup> Aeneis

<sup>7</sup> Sermo contra Aux. de basilicis trad.

<sup>8</sup> Ad adolescentes, in Leonardo Bruni's translation into Latin from ca. 1426

<sup>9</sup> Lib. de vita et moribus phil.

<sup>10</sup> Ep. 21 2; Ep. 22 2; Ep. 58 1; Ep. 60 13; Ep. 70 1; Ep. 75 1; Ep. 130 1

<sup>11</sup> Vita s. Ambrosii

<sup>12</sup> De avaritia

<sup>13</sup> De avaritia

The main source of the sermon is Paulinus' biography of Saint Ambrose (337/40-397 AD). Paulinus was a deacon in Milan and knew Ambrose personally. The biography is dated to 412-413 or 422. Piccolomini actually draws quite heavily on this text for his information on Ambrose.

For factual information he also used the *Historia Tripartita* of Cassiodorus (c. 490 – c. 483) and Epiphanius.

Otherwise, he made extensive use of 3-4 letters of Saint Jerome, especially of his letter to Heliodorus (ep. 60), a letter of consolation on the death of Nepotian, Heliodorus' nephew and Jerome's friend.

Also, he used Poggio Bracciolini's work, *De Avaritia*, from 1428-1429, i.e. only 10 years earlier,<sup>1</sup> and Leonardo Bruni's recent translation into Latin of Saint Basil's *Ad adolescentes*.

The question arises: where did Piccolomini have access to the texts used in the sermon?

Many of the classical quotations he would have written down during his university studies in Siena and kept in some kind of file which he had brought with him.

And at the council, he had become friends with Archbishop Pizzolpasso of Milan, who often invited him to his table, lent him books, and even granted him the provostship of San Lorenzo in Milan, undoubtedly with the permission of the Duke of Milan, Maria Filippo Visconti, whose favour Piccolomini courted - sometimes with success.<sup>2</sup>

Pizzolpasso himself was somewhat of a humanist and over the years he collected an excellent library. His library included the books mentioned above, Paulinus' biography of Saint Ambrose, the *Historia Tripartita*, and the letters of Jerome. It also contained some works used by Piccolomini in his oration "*Audivi*" [1].<sup>3</sup> The *De Avaritia* by Poggio Bracciolini does not feature in an inventory of the library dating from 1443, but in a letter from 1437 Poggio promised the Archbishop, then in Basel, to send him in a copy.<sup>4</sup> At any rate, Piccolomini used it in his oration on Saint Ambrose in 1438.<sup>5</sup>

In Basel there was another library that Piccolomini may have used, i.e. the library of the Dominicans.

There seems to be no need to search much further: the Archbishop of Milan had asked Piccolomini to give a sermon on his predecessor, Saint Ambrose, and he would quite naturally also have made his library available to him.<sup>6</sup> He may even have assisted Piccolomini in his search for materials for the sermon.

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<sup>1</sup> Piccolomini also mentions this work in his chapter on Poggio Bracciolini in *De Viris illustribus*, p. 35-36

<sup>2</sup> Iaria: *Tra*, p. 9

<sup>3</sup> Oration "*Audivi*", sect. 4.3.3

<sup>4</sup> Iaria: *Tra*, p. 19

<sup>5</sup> And in other works, too, cf. Iaria: *Tra*, pp. 13, 18, 26

<sup>6</sup> Iaria: *Tra*, p. 9

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## 7. Sigla and abbreviations

**D** = Roma / Biblioteca Apostolica Vaticana / Chis. J.VI.211

**G** = Lucca / Biblioteca Capitolare Feliniana / 544

**J** = Roma / Biblioteca Apostolica Vaticana / Palatinus latinus 603

**K** = Basel / Universitätsbibliothek / A, III, 38

**L** = Basel / Universitätsbibliothek / A IV 5

**MA** = Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca, 1755-1759

### Abbreviations

**CO** = Pius II: *Commentarii rerum memorabilium quae suis temporibus contigerunt* [1464]

**HA** = Eneas Silvius Piccolomini: *Historia Austrialis*. Teil 1: Einleitung von Martin Wagendorfer. 1. Redaktion ed. von Julia Knödler. Teil 2: 2./3, ed. Martin Wagendorfer. 2 vols. Hannover, 2009. (Monumenta Germaniae Historica. Scriptores Rerum Germanicarum. Nova Series; 24)

**HB** = Aeneas Silvius Piccolomini: *Historia Bohemica*. Herausg. J. Hejnic & H. Rothe. 2 vols. Köln, 2005. (Bausteine zur slavischen Philologie und Kulturgeschichte. Neue Folge. Reihe B; 20)

**MA** = Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759

**MPL** = Migne, Jacques-Paul: *Patrologia latina*. 217 vols. 1841-1865

**RTA** = Deutsche Reichstagsakten

**WO** = *Der Briefwechsel des Eneas Silvius Piccolomini*. Hrsg. von Rudolf Wolkan. 3 vols. Wien, 1909-1918. (Fontes rerum Austriacarum, 2 / 61, 62, 67, 68)

**Decretum** = *Decretum magistri Gratiani*. Ed. Lipsiensis secunda. Eds. A.L. Richter & A. Friedberg. 2 vols. Leipzig, 1879

**Epistolarium** = Enee Silvii Piccolominei *Epistolarium Seculare*. Ed. A. van Heck. Città del Vaticano, 2007. (Studi e testi; 439)

**Rainaldus** = *Annales ecclesiastici ab anno MCXCVIII ubi Card. Baronius desinit*. Auct. Odoricus Raynaldus. Tom. XVIII-XIX. Roma: Varesius, 1659-1663

**Reject** = *Reject Aeneas, accept Pius : Selected letters of Aeneas Sylvius Piccolomini (Pope Pius II)*. Intr. and transl. by T.M. Izbicki et al. Washington, D.C., 2006

## II. TEXT AND TRANSLATION

## Eneae Silvii Picolominei Senensis Oratio habita Basileae in Divi Ambrosii celebritate<sup>1 2</sup>

[1] {15r} *Si quis me roget*, reverendissimi<sup>3</sup> patres, cur a majoribus<sup>4</sup> sanctorum virorum commemorationes sint introductae, facile quidem responsum dabo: non tam propter illos, ut gloriam bene actae<sup>5 6</sup> vitæ recipiant, quam propter nos, ut illorum sequamur exempla<sup>7</sup>. Quid enim est quod nostris praeconiis egeant, qui apud maximum Deum recepti, summo illo et ineffabili divinitatis splendore fruuntur? Quidve omnino mortalem exposcant<sup>8</sup> laudem, qui habitantes cum Christo angelicis continue<sup>9</sup> vocibus extolluntur? Nempe ita beati sunt illi, ut nec addere quicquam eis, nec auferre nostra studia possint. Fiunt igitur ad nostram institutionem<sup>10</sup> commemorationes huiusmodi, ut audientes illorum vitam, quorum vel ortus in lucem, vel transitus ad gloriam celebrantur, quales illi fuere<sup>11</sup>, tales nos esse nitamur<sup>12</sup>. Qui quidem tanta probitate vixerunt, ut pars felicitatis existat nosse, quid fecerint.

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<sup>1</sup> *No title* J; Sermo Enee in festo sancti Ambrosii K, L

<sup>2</sup> Ex Mss. Cod. Bibl. Canonic. Cathedr. Lucanae, edita est a me primum in Tom. V. Suppl. Concil. An. 1436 Mansi *in marg.* MA

<sup>3</sup> beatissimi J, K, L

<sup>4</sup> a majoribus : animae J, K, L

<sup>5</sup> bene actae : ante actae G, MA

<sup>6</sup> ad J

<sup>7</sup> sequamur exempla : exempla sequamur J

<sup>8</sup> expostulant J

<sup>9</sup> continuo MA

<sup>10</sup> constitutionem G; institutionem *corr. ex.* constitutionem MA

<sup>11</sup> fuerunt J, K, L

<sup>12</sup> enitamur J, K, L

# Oration of Enea Silvio Piccolomini of Siena, given in Basel on the Feast of Saint Ambrose

## 1. Introduction

### 1.1. Commemorations of Saints

[1] *If anybody asks me*<sup>1</sup>, Reverend Fathers, why our forefathers introduced commemorations of holy men, I can answer easily: they did not do so for the sake of the holy men themselves so that they would receive praise for a well-lived life, but for our sake so that we would follow their examples. For why would they need our praise when they have been received by the Great God and are enjoying the supreme and ineffable splendour of divinity? And why would they want the praise of mortal men when they are living with Christ and are continuously praised by the voices of angels? No, they are blessed, and we are not able to give them anything or take anything away from them.<sup>2</sup> Commemorations of this type are held for the sake of our own edification: when we hear about the lives of these persons, whose elevation to the light or passage into glory we celebrate, we will strive to be like them. For they lived so virtuously that just knowing what they did will bring us some measure of happiness.

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<sup>1</sup> Terentius: *Andria*, 258: *Si quis nunc me roget*

<sup>2</sup> Piccolomini, as pope, reused and developed this theme in the introduction to his *Commentarii: the perfect happiness of the blessed [in Heaven] is neither increased by the praise of mortals nor diminished by their scorn*, CO, Praefatio (Meserve, I, pp. 2-3)

[2] Ea de causa placitum est hero meo Mediolanensi archiepiscopo, quoniam hodiernus dies antecessori suo beatissimo et excellentissimo<sup>1</sup> doctori Ambrosio sacer est, non solum ante conspectum vestrum divina celebrare officia, sed mihi quoque de tanto viro, et<sup>2</sup> coram tot tantisque patribus, ut orationem habeam, omnino insufficienti committere. Vereor tamen, ne sicut negare nescivi, sic etiam obedire non sciam. Obruit enim me magnitudo gestorum, quae si voluerim omnia recensere, nec<sup>3</sup> quidem dies<sup>4</sup> sufficet<sup>5</sup>, nec memoria tanta tenebit. Perterret me quoque vestra majestas, in cuius praesentia nil nisi tersum dici fas puto. Sed quoniam hunc locum ascendi, et aures vestras auditioni paratas video, antiquius arbitror aliqua dicere, quam penitus obmutescere, ne vel reverendissimi domini mei archipontificis desiderio desim, vel huic celeberrimo festo injuriam faciam; nequaquam tamen meis confisus viribus<sup>6</sup>, sed divino numine fretus<sup>7</sup> ad rem veniam<sup>8</sup>.

[3] Ambrosius noster hodie, sanctissimi patres, secundum repraesentationem ecclesiae diem obiit, quo nec *severitate vitae, nec sanctimonia morum, nec optimarum artium studio, nec sacrarum litterarum doctrina* probatior quisquam fuit. Quid igitur faciemus? Obitumne sanctissimi viri plorabimus; an potius, secuti Hesiodum {15v} *natales hominum plangentes*, in funere gaudebimus? *Prohibet quidem apostolus hujusmodi lachrimas Christianorumque mortuos dormientes appellat. Dominus quoque in Evangelio: Non est mortua, inquit, puella, sed dormit.* Scimus praeterea nostrum Ambrosium esse cum Christo, et in sanctorum choris admixtum, cuius in terra ea omnis cura fuit, ut aliquando in coelo diceret: *Sicut audimus<sup>9</sup>, sic vidimus in civitate domini virtutum, in civitate Dei nostri.*

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<sup>1</sup> et excellentissimo *omit.* K

<sup>2</sup> ac J

<sup>3</sup> mihi *add.* G, MA

<sup>4</sup> quidem dies : dies quidem J, K, L

<sup>5</sup> sufficeret MA

<sup>6</sup> verbis viribus K

<sup>7</sup> sed divino numine fretus *omit.* J, K, L

<sup>8</sup> sed implorabo ex veteri more sanctissime dei genitricis favorem quem ut libentius prestet angelica eam oratione salutabimus: Ave Maria, gratia plena, dominus tecum J; sed implorabo ex veteri more sanctissime dei genitricis favorem quem ut libentius prestet angelica eam oratione consalutabimus: Ave gratia K, L

<sup>9</sup> audivimus J, K, L

## 1.2. Captatio benevolentiae

[2] For this reason, it has pleased My Lord, the Archbishop of Milan,<sup>1</sup> on this day dedicated to his predecessor, Ambrose<sup>2</sup>, holy and exalted Doctor of the Church, to celebrate the divine office in your presence. Moreover, he has asked me to give an oration<sup>3</sup> on this great man before an audience of so many and so great Fathers, even though the task is completely beyond me. I fear that just as I cannot turn him down, I cannot either meet his requirements. For the greatness of Ambrose's deeds overwhelms me, and even if I wanted to relate them all, this day would not be long enough, nor would I be able to remember it all. Also, the majesty of your [assembly] overawes me, and I think it is only proper to be brief in your presence. But as I have stepped up here, and as I see that you are ready to listen, I think it is better to say something than stay completely silent. So, now I shall obey the wish of my Reverend Lord, the Archbishop, and not disgrace this noble Feast, but come to the point, not relying on my own powers, but on the Divinity.

## 1.3. Feast of Saint Ambrose

[3] Holy Fathers, according to Church tradition, our Ambrose died on this day.<sup>4</sup> Nobody has ever excelled him in *asceticism, holiness, dedication to the good arts, and knowledge of the Holy Scriptures*.<sup>5</sup> So, how should we proceed now? Should we lament the death of this holy man? Or should we rather go along with Hesiod, who *bewails men's birthdays*<sup>6</sup>, and rejoice in his death? *However, the Apostle forbids this kind of tears, saying that "dead Christians are only sleeping."*<sup>7</sup> *And the Lord says in the Gospel: "The girl is not dead, but sleepeth."*<sup>8</sup>

Moreover, we know that our Ambrose is with Christ and has joined the choirs of saints. When he was on this Earth, he was only concerned that when he went to heaven he would be able to say: *As we have heard, so have we seen in the city of the lord of virtues, in the city of our God.*<sup>9</sup>

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<sup>1</sup> Francesco Pizzolpasso (-1443): Archbishop of Milan from 1435 to his death. Churchman with humanist interests and a friend of Piccolomini

<sup>2</sup> Aurelius Ambrosius (ca. 330 -397): Archbishop of Milan from 374 to his death. Doctor of the Church. Saint

<sup>3</sup> Note Piccolomini's own use of the term "oration" rather than "sermon"

<sup>4</sup> April 4

<sup>5</sup> Basil: *Oratio* (Bruni), *dedicatio*, p. 231

<sup>6</sup> Jeronimus: *Epistola ad Heliodorum* (60), 2. MPL, XXII, col. 598. Translation quoted after St. Jerome: *Letters*

<sup>7</sup> 1. Thessalonians 4, 12-14

<sup>8</sup> Matthew, 9, 24. The whole passage is quoted from Jeronimus: *Epistola ad Heliodorum* (60), 2. MPL, XXII, col. 590

<sup>9</sup> Psalms, 47, 9: *sicut audivimus ita vidimus in civitate Dei exercituum in civitate Dei nostri*. The version of the Vulgate used by Piccolomini has "domini virtutum" instead of "Dei exercituum". Quoted by Jeronimus: *Epistola ad Heliodorum* (60), 7. MPL, XXII, col. 593

[4] Convenientior igitur huic solemnitati laeta erit oratio quam tristes. Et si enim, ut est apud Tullium, nulla ex parte maesti Theramenes et Socrates obiisse creduntur, quid de Ambrosio nostro dicemus, cui *vivere Christus erat et mori lucrum*? Congratulandum est quippe tanto pontifici ejusque vitae<sup>1</sup> laudes cum alacritate a me referendae, et a vobis cum laetitia sunt audiendae. Quam rem nisi sufficienter implevero, dabitis veniam ingeniolo meo, et voluntatem magis a me quam vires<sup>2</sup> suscipietis.

[5] Nec ego *praecepta rhetorum*<sup>3</sup> hoc loco exequar<sup>4</sup>, quibus mos est *majores ejus, qui landandus proponitur, et eorum altius gesta repetere, ut ramorum sterilitatem, sicut Jeronimus ait, radix fecunda compenset*<sup>5</sup>, et *quod in fructu non teneas, merearis*<sup>6</sup> in trunco. At ego *carnis bona, quae semper ipse contempsit, in animae laudibus non reponam*. Nec Ambrosium *jactabo de genere, quamvis nobilissimus fuit, id est de alienis bonis, cum et Abraham et Isaac, sancti viri, Ismaelem et Esau peccatores genuerint*<sup>7</sup>, et *natus ex meretrice, secundum Apostoli vocem, in catalogo sanctorum adnumeretur*, et<sup>8</sup> veteri quoque lege sancitur: *Anima quae peccaverit, ipsa morietur; ergo et quae non peccaverit, ipsa vivet. Nec vitia, nec virtutes parentum liberis imputantur. Ab eo tempore quisque censetur ex quo Christo*<sup>9</sup> renascitur.

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<sup>1</sup> *omit.* J, K

<sup>2</sup> a me quam vires : quam vires a me MA

<sup>3</sup> rethorum J, K, L

<sup>4</sup> exequor MA

<sup>5</sup> compescet K; compenscet L

<sup>6</sup> mireris J, K; mereris L

<sup>7</sup> Mali ex bonis nascuntur *in marg.* D, G

<sup>8</sup> *omit.* K

<sup>9</sup> Christus D, G

[4] So, an oration on this solemn occasion should be joyous rather than sad. And if - as Tullius<sup>1</sup> said - Theramenes<sup>2</sup> and Socrates<sup>3</sup> passed away with no regrets at all,<sup>4</sup> what should we say about our Ambrose for whom *to live was Christ and to die was gain*?<sup>5</sup> Certainly, we should felicitate this great bishop! So my task is to praise his life enthusiastically while yours is to listen joyfully. If I do not perform my task adequately, you will forgive my puny intellect and appreciate my intention rather than my abilities.

[5] On this occasion, I shall not follow *the rhetoricians' rule to go back to the ancestors of the man you have to praise and first recount their glorious deeds*,<sup>6</sup> so that, as Jerome<sup>7</sup> says, *a fertile root may make up for barren branches and you may admire in the stem what you have not got in the fruit*.<sup>8</sup> *I will not dwell upon those fleshly advantages nor refer to inherited advantages which he, for his part, always despised. Nor will I boast of his family, although it was of great nobility, for such good points belong to others; for even those holy men Abraham and Isaac had for sons the sinners Ishmael and Esau, and – according to the Apostle<sup>9</sup> – even the son of a harlot may be inscribed in the catalogue of saints. And in the Old Law it is ordained that the soul that sinneth, the same shall die. Neither the virtues nor the vices of parents should not be imputed to their children. Everyone should be taken account of only from the time when we are born anew in Christ*.<sup>10</sup>

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<sup>1</sup> Marcus Tullius Cicero (106-43 BC): Roman statesman and philosopher

<sup>2</sup> Theramenes (fl. 411-404 BC): Athenian statesman

<sup>3</sup> Socrates (c. 469-399 BC): Athenian philosopher

<sup>4</sup> Cicero: *Tusculanae Disputationes*, 1.40.96 – 1.42.100

<sup>5</sup> Philippians, 1, 21: *mihi enim vivere Christus est et mori lucrum*. Quoted by Jerome: *Epistola ad Heliodorum* (60), 7. MPL, XXII, 22, col.. 593

<sup>6</sup> Jeronimus: *Epistola ad Heliodorum* (60), 7. MPL, XXII, col. 594: *Praecepta sunt rhetorum, ut maiores eius, qui laudandus est, et eorum altius gesta repetantur*

<sup>7</sup> Jerome (ca. 347-420): Doctor of the Church. Saint. Translated the Bible into Latin (The Vulgate)

<sup>8</sup> Jeronimus: *Epistola ad Demetriadem* (130), 3. MPL, XXII, col. 1108: *ramorum sterilitatem radix fecunda compenset, et quod in fructu non teneas, mireris in trunco*

<sup>9</sup> Not the Apostle, but Quintilian!

<sup>10</sup> This whole passage is adapted from Jeronimus: *Epistola ad Heliodorum* (60), 8. MPL, XXII, col. 594, where he speaks of Nepotian. The mss. erroneously have *Christus* in stead of *Christo* which does not give meaning, since it is not Christ who was reborn, but the Christians who are reborn in Christ

[6] Surgat<sup>1</sup> igitur nobis infantulus noster Ambrosius, cujus cum fuerit omnis aetas laudabilis, infantilis<sup>2</sup> quoque mirabilis fuit. Nec me aliquis longum existimet quod ita remote incipiam. *Nam sicut in brevi tabella terrarum situs nonnumquam picti reperiuntur*, sic in parva oratione mea non expressam, sed adumbratam cernetis Ambrosii vitam. Praefectus erat in Galliis Ambrosius pater, cum natus est, de quo verba fiunt, Ambrosius, cui adhuc infanti et apud {16r} aream praetorii in cunis jacenti subito apes advolaverunt, ejusque vagientis ora frequentatis ingredi vicibus atque egredi cernebantur. Quas cum ancilla eademque puelli<sup>3</sup> nutrix abigere vellet, prohibita est a patre, qui exitum rei sollicitus expectabat. Illae autem, postquam aliquandiu circa puerum volitarunt<sup>4</sup> levatae in altum, ex oculis omnium evanuerunt. Quod omen tam genitor quam alii, qui aderant, portendere<sup>5</sup> aliquod magnum puero autumabant. Mihi videntur aviculae illae futuram hominis eloquentiam praesignasse, secundum quod scriptum est: *Favi mellis sermones boni*. Nec fefellit exitus, siquidem facundissimus postea, ut omnes nostis, evasit Ambrosius.

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<sup>1</sup> surgat J, K, L; exurgat MA

<sup>2</sup> infantulus J

<sup>3</sup> puella K

<sup>4</sup> *omit.* G, MA

<sup>5</sup> pretendere K

## 2. Childhood<sup>1</sup>

[6] So, let the little child Ambrose rise before us. All his ages were praiseworthy, but his childhood was also miraculous. Let nobody consider me long-winded for starting with these remote beginnings, *for just as on a small tablet men depict the configurations of the earth*, so in this little oration of mine you may see Ambrose's life if not fully depicted then at least outlined.<sup>2</sup>

When our Ambrose was born, his father – also called Ambrose – was Prefect of Gaul. Once, the baby was lying in his cradle in the courtyard of the pretorial residence when suddenly bees came flying and were seen to crawl in and out of his open mouth. When an old servant, the boy's nurse, wanted to drive them away, she was stopped by the father who anxiously awaited the outcome. The bees were buzzing about the boy for a little while, then they flew up and disappeared from sight. The father and the other bystanders considered this to be an omen of something great for the child. Personally, I think that these small birds<sup>3</sup> was a sign of the man's future eloquence,<sup>4</sup> as it is written: *Well ordered words are as a honeycomb*.<sup>5</sup> And the outcome did not disappoint, seeing that Ambrose later became extraordinarily eloquent.

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<sup>1</sup> In this section, Piccolomi depends heavily on Paulinus, sect. 3

<sup>2</sup> A quotation adapted from Jeronimus: *Epistola ad Heliodorum* (60), 7. MPL, XXII, col. 593

<sup>3</sup> I.e. insects

<sup>4</sup> Cf. Valerius Maximus, 1.6.ext. 3, on bees, honey, babies, and future eloquence: *Formicis Midae iure meritoque apes Platonis praetulerim: illae enim caducae ac fragilis, hae solidae et aeternae felicitatis indices exstiterunt, dormientis in cunis parvuli labellis mel inserendo. qua re audita prodigiorum interpretes singularem eloquii suavitatem ore eius emanaturam dixerunt. ac mihi quidem illae apes non montem Hymettium thymi flore redolentem, sed Musarum Heliconios colles omni genere doctrinae virentes dearum instinctu depastae maximo ingenio dulcissima summae eloquentiae instillasse videntur alimenta* (With good and sufficient reason would I prefer the bees of Plato to Midas' ants. The latter foretold of transitory, fragile felicity, the former of solid and eternal, by putting honey between the lips of the little lad as he slept in his cradle. Hearing of it, the interpreters of prodigies said that matchless sweetness of discourse would flow from his mouth. And to my thinking those bees at the prompting of the goddesses, fed, not upon Mount Hymettus, fragrant with flowers of thyme, but on the Heliconian hills of the Muses, verdant with every kind of learning, and instilled sweetest nurture of supreme eloquence into that mighty intellect)

<sup>5</sup> Proverbs, 16, 24

[7] Is quippe amisso patre, cum esset admodum puer, cum matre vidua et sorore virgine nutritus est, et ut primum potuit per aetatem, liberalibus studiis navasse operam traditur, brevique tempore ita doctus evasit, ut inter primos causas peroraret, maximamque apud Probum, virum illustrem et tunc<sup>1</sup> Romani rectorem imperii, gratiam acquisivit. Ob quam causam juvenis adhuc ad consularem dignitatem pervenit, moxque provincia sibi decreta est Gallia, quae circa Padum intra Italiam jacet, quae res Mediolanum, urbem populosissimam et totius Insubriae caput, eum perduxit.

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<sup>1</sup> adhuc J

### 3. Youth and early career<sup>1</sup>

[7] When Ambrose was still a small boy, he lost his father and was brought up by his widowed mother and an unmarried sister.<sup>2</sup> He is said to have begun to study the liberal arts at the earliest age possible, and in a short time he became so proficient that he was among the most prominent speakers in law trials. Moreover, he found high favour with the illustrious Probus,<sup>3</sup> at that time the administrator<sup>4</sup> of the Roman Empire. For this reason, he reached consular rank when he was still a young man. Soon afterwards, the Province of Gaul<sup>5</sup> around the Po river in Italy was allotted to him,<sup>6</sup> and thus he came to the very populous city of Milan, capital city of the whole of Lombardy.<sup>7</sup>

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<sup>1</sup> In this section, Piccolomini relies heavily on Paulinus, sect. 4-5

<sup>2</sup> In Rome, cf. Dudden, p. 1-21. Ambrose's sister was Marcellina, also venerated as a saint

<sup>3</sup> Sextus Anicius Petronius Probus: Praetorian prefect of Italy with Illyricum since 368, one of the two regions of the Western empire at that time, cf. Dudden, I, p. 60-61; Ramsey, p. 18. Ammianus Marcellinus gives a description of his noble birth, wealth, honours, and character in his *Rerum gestarum libri*, XXVII, 11, 1. (The translator of the Loeb ed. gives his name as C. Anicius Petronius Probus)

<sup>4</sup> "rector"

<sup>5</sup> Gallia Cisalpina

<sup>6</sup> As provincial governor, cf. Dudden, I, p. 61

<sup>7</sup> Milan: Around 400 BC, the Celtic Insubres settled Milan and the surrounding region. In 222 BC, the Romans conquered the settlement which was then renamed Mediolanum. Milan was declared the capital of the Western Roman Empire by Emperor Diocletian in 286 AD.

[8] Quo tempore, mortuo Auxentio<sup>1</sup> Arianae fatuitatis antistite, qui expulso Dionysio Mediolanensem occuparat ecclesiam, circa creationem novi episcopi non parva erat in civitate seditio, quod alium Ariani, alium orthodoxi pontificem cupiebant. Ideoque visum Ambrosio est<sup>2</sup> ad ecclesiam pergere, ut animos, si posset, concitatos sua oratione molliret. Vixque alloqui plebem coeperat<sup>3</sup>, subito vox fertur infantis personuisse: “Ambrosium episcopum!”, ad quam vocem tamquam coelitus missam totius populi ora conversa Ambrosium episcopum conclamabant, factaque repente concordia hunc omnes unum<sup>4</sup> ordinari antistitem flagitabant.

[9] Sed nondum ea, quae nunc viget, ambitio macularat ecclesiam, nec adhuc pecunia vendebantur episcopatus: indignabundus ecclesiam dereliquit Ambrosius, praepositisque<sup>5</sup> tormentis, retrahere populum ab his vocibus satagebat; et nunc se cathecumenum, nunc philosophum respondebat; ac, cum nec sic cessaret {16v} populus, meretrices publicas ad<sup>6</sup> se propalam ingredi iussit, ut eo vel maxime modo indignum se redderet pontificatu. Sed quo plus repugnabat, eo magis in se studia omnium concitabat, merebaturque negando quod esse nolebat, quoniam dignior<sup>7</sup> erat, qui se clamabat indignum. Quam ob causam<sup>8</sup> fugae sese commisit<sup>9</sup>, egressusque noctu Papiam pergebat. At dominus, qui ecclesiae suae murum parabat, et turrim adversus Damasci faciem, idest Arianorum perfidiam, erigebat, fugam tenuit ipsius, rubescenteque<sup>10</sup> aurora ante portam urbis, cui Romana<sup>11</sup> est nomen, ignorantem eum in conspectu populi reddidit<sup>12</sup>.

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<sup>1</sup> Auxoculio J

<sup>2</sup> Ambrosio est : est Ambrosio MA

<sup>3</sup> cum *add.* L

<sup>4</sup> *omit.* J

<sup>5</sup> propositisque J, K, L

<sup>6</sup> a K

<sup>7</sup> dignus J

<sup>8</sup> quam ob causam : ob quam causam J

<sup>9</sup> conversit J

<sup>10</sup> erubesceteque MA

<sup>11</sup> Roma K, L

<sup>12</sup> reddit K

## 4. Election as bishop of Milan<sup>1</sup>

[8] At this time, Auxentius<sup>2</sup> died. He was a bishop belonging to the absurd sect of the Arians<sup>3</sup> who had expelled Dionysius<sup>4</sup> and occupied the See of Milan. The appointment of a new bishop caused a great uproar in the city as the Arians wanted one man as bishop, and the orthodox another. Therefore Ambrose decided to go to the church to talk to the excited crowd and if possible to calm them down. Hardly had he begun to speak to the people when – as it is told - a child's voice suddenly resounded through the church: "Ambrose for Bishop". As if this voice had been sent from Heaven, all faces now turned towards Ambrose, and shouting "Ambrose for Bishop" they unanimously demanded that this man should be appointed bishop.

[9] But ambition, so prevalent in the present age, had not yet blemished the Church, and bishoprics were not yet sold for money. Shocked and angry Ambrose left the church. Afterwards he endeavoured to turn the people away from these voices by ordering people to be tortured, and by declaring himself to be a catechumen<sup>5</sup> and later a philosopher<sup>6</sup>. And when that did not stop the people, he ordered prostitutes to come to him openly so that he would in this way make himself completely unfit for the episcopate. But the more he resisted, the more he provoked everybody to be for him, and by refusing he won what he did not want, for though he claimed not to be worthy, he was the worthiest. He therefore decided to flee, and having left during the night he set out for Pavia.<sup>7</sup> But the Lord, who was constructing a bulwark for the Church and a tower against the face of Damascus,<sup>8</sup> the perfidy of the Arians, foiled his plan, and when the sun rose, He put a bewildered Ambrose back at the Roman gate,<sup>9</sup> right in front of the people.

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<sup>1</sup> In this section, Piccolomini relies heavily on Paulinus, sect. 6-9

<sup>2</sup> Auxentius of Milan (fl. c. 355-374): Arian theologian and bishop of Milan. Because of his Arian faith, Auxentius is considered by the Catholic Church to be an interloper, and he is not included in the Catholic lists of the bishops of Milan such as that engraved in the Cathedral of Milan

<sup>3</sup> Arianism: the theological teaching attributed to Arius (ca. AD 250–336), a Christian presbyter in Alexandria, Egypt, concerning the relationship of the members of the Trinity and the nature of the Son of God as being a subordinate entity to God the Father. Sentenced as a heretic by the Council of Nicaea 325 (AD)

<sup>4</sup> Dionysius: Archbishop of Milan from 349 to 355. He is revered as a Saint in the Catholic and Eastern Orthodox Churches and his feast day is on May 25

<sup>5</sup> Catechumen: one receiving instruction in the Christian religion with a view to baptism

<sup>6</sup> Cf. Paulinus: *philosophiam profiteri voluit*, which Dudden interprets as that *he meant to retire from the world and devote himself henceforth to solitary meditation*, I, p. 62

<sup>7</sup> 35 kilometers south of Milan

<sup>8</sup> 2. Kings, 8, 6: *And David put garrisons in Syria of Damascus*

<sup>9</sup> I.e. the Milanese city gate turning towards Rome

[10] Qui et retentus est, et missa legatione ad Caesarem postulatus episcopus, quod et Valentinianus libens concessit, et laetus audivit Probus, qui eunti in provinciam Ambrosio: “Vade, age, non ut iudex, sed ut episcopus,” dixerat. Pendente tamen relatione, iterum fugit Ambrosius, et in possessione cujusdam Leontii, clarissimi viri, tamdiu latuit, quoad responso imperatoris habito, ab ipso Leontio est proditus, et in urbem reductus, ubi videns quia resistere Deo non poterat, iugo cervicem praebuit, baptizatusque, ut optabat, a catholico episcopo, omnia ecclesiastica implens officia infra octavum<sup>1</sup> diem episcopus est ordinatus.

[11] Qui<sup>2</sup> ubi assecutus est<sup>3</sup> episcopatum, *non honorem sed onus* intelligens, primam curam habuit, ut humilitate superaret invidiam, et instar salvatoris nostri *formam servi accipiens usque ad mortem se humiliavit*, haud nescius<sup>4</sup> quia qui *major est, ministri personam* debet induere. Clericos sane ut clericos honorabat, ceteros omnes, aut filiorum, aut fratrum, aut si aetas ferret, parentum loco habebat. Haereticis solum, et maxime Arianis erat infestus. Ob quam rem magna ei cum Valentiniani matre Justina concertatio fuit, quae cum esset Ariano infecta errore, nihil magis quaerebat quam Ambrosium perdere, promissisque dignitatibus et officiis scelestos homines provocabat in eum. Sed adjuvante domino omnem malitiam convincebat Ambrosius, incidebantque omnes<sup>5</sup> in *foveam, quam ipsi fecerant*<sup>6</sup>, qui sancto viro struebant insidias.

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<sup>1</sup> octavam J, K, L

<sup>2</sup> quod J, K, L

<sup>3</sup> assecutus est : est assecutus J, K, L

<sup>4</sup> nesciens MA

<sup>5</sup> omnes *omit.* MA

<sup>6</sup> fecerunt J

[10] Ambrose was taken into custody, and envoys were sent to the emperor<sup>1</sup> requesting that Ambrose be appointed bishop. Valentinian was happy to approve, and Probus was glad to hear it since he himself had said to Ambrose when he was setting out for his province: “Go and act not as a judge, but as a bishop.” While the report was pending, Ambrose fled once again, and for a time he hid on the property of the worshipful<sup>2</sup> Leontius. But when the emperor’s answer arrived, he was handed over by this same Leontius and brought back to the city. When he saw that he could not defy God, he bowed his head under the yoke,<sup>3</sup> was baptized by a catholic<sup>4</sup> bishop as he demanded, and having accomplished all the ecclesiastical offices,<sup>5</sup> he was ordained bishop within a week.

## 5. Enmity of the empress<sup>6</sup>

[11] When Ambrose attained the episcopate, he understood that *it was not an honour, but a burden*,<sup>7</sup> and his first care was to overcome envy by humility, and followed the example of Our Saviour *taking the form of a servant he humbled himself unto death*<sup>8</sup>, knowing that one who is *great should become a servant*.<sup>9</sup> Clerics he honoured as clerics, and all others he treated as sons or brothers or, if they were elderly, as parents. His only enemies were the heretics, and especially the Arians. Therefore there was great hostility between him and Justina,<sup>10</sup> Valentinian’s mother, who was infected with Arian error.<sup>11</sup> Desiring more than anything to destroy Ambrose, she incited certain villainous people against him by promising them honours and offices. However, with God’s help Ambrose overcame all her malice, and all the people who plotted against the holy man themselves *fell into the pit they had dug*.<sup>12,13</sup>

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<sup>1</sup> Valentinianus I Flavius (321-375): Roman emperor, 364-375

<sup>2</sup> “clarissimus”, a title mostly given to senators

<sup>3</sup> Jeremiah 27, 11: *subjecerit cervicem suam sub iugo*

<sup>4</sup> i.e. orthodox, non-heretical and especially non-Arian

<sup>5</sup> The phrase is usually taken to mean that Ambrose received all the ecclesiastical ordinations, i.e. the lower ones and the higher ones: subdeacon, deacon, priest, cf. Dudden, p. 68. But this interpretation has been challenged, although a satisfactory alternative interpretation has not been suggested, cf. Ramsey, p. 20-21

<sup>6</sup> In this section, Piccolomini depends heavily on Paulinus, 11-13, 15, 20

<sup>7</sup> Quote adapted from Jeronimus: *Epistola ad Heliodorum* (60), 10. MPL, XXII, col. 595

<sup>8</sup> Philippians, 2, 7-8: *taking the form of a servant, being made in the likeness of men, and in habit found as a man. He humbled himself, becoming obedient unto death (formam servi accipiens in similitudinem hominum factus et habitu inventus ut homo humiliavit semet ipsum factus oboediens usque ad mortem)*

<sup>9</sup> Matthew, 20, 26: *but whosoever is the greater among you, let him be your minister (quicumque voluerit inter vos maior fieri sit vester minister)*

<sup>10</sup> Justina (ca. 340-ca. 391): the second wife of the Roman Emperor Valentinian I, the mother of the emperor Valentinian II. She was an Arian Christian though unable to act in favor of her religious faction until after the death of her husband. She maintained a long struggle against Ambrose

<sup>11</sup> Cf. Paulinus, 11, 12, 13, 15, 20, and Dudden, pp. 270-297

<sup>12</sup> Proverbs, 26, 27: *qui fodit foveam incidet in eam*

<sup>13</sup> Cf. Collins, p. 63

[12] *Angustiae me temporis tenent, ne omnes Justinae molestias attingam. Illud tamen non praeteribo, quod Tripartita {17r} narrat Historia: Cum enim vidisset Justina ad verbum Ambrosii totam plebem esse devotam, armatos ad ecclesiam misit, qui eum raptum in exilium traherent. Sed audite, obsecro, verba<sup>1</sup> pastoris, audite, reverendissimi patres, responsum intrepidum: Ego, inquit Ambrosius, sponte hoc non ago, ne lupis ovium saepta contradere videar, aut blasphemantibus Deum; hic, si placet, occido<sup>2</sup>; hoc loco mortem prona suscipio voluntate. O animum vero pastore dignum! O verba in omnium episcoporum pectoribus<sup>3</sup> inscribenda! Sciebat eximius doctor, quia pastor bonus<sup>4</sup> animam pro suis ovibus libenter exponit. Anxius nempe Ambrosius erat, ne populum sine cura dimitteret, priusque mori volebat, quam oves perdere. Non agros ecclesiae, sed animas sibi commissas dolebat amittere.*

[13] At nos hodie - proh pudor - non hominum, sed pecuniarum gerimus curam; non animabus, sed argento studemus et auro. Illa dignior aestimatur<sup>5</sup> ecclesia, non cui major est populus, sed cui major est redditus. Habeat innumeras animas ecclesia, sit infinitus in ea populus, nisi pecuniis abundet, nemo illam adibit, et quasi haereditatem jacere inopem quisque<sup>6</sup> dimittet. At ubi dives episcopatus, et introitus uberes sunt, huc *oculi omnium sunt conversi*, nec ibi quisquam cum examine ordinatur antistites, quasi non populo, sed pecuniae proponatur<sup>7</sup> episcopus. Quare, si ita pergimus agere, suadeo, ne sacris litteris ut praedicatores, sed abaco ut nummularii studeant clerici, quia sic ad episcopatum evecti et<sup>8</sup> tractare pecunias et reddere calculum scient.

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<sup>1</sup> boni *add.* D, G, MA

<sup>2</sup> occide *Historia tripartita*

<sup>3</sup> episcoporum pectoribus : pectoribus episcoporum J, K

<sup>4</sup> pastor bonus : bonus pastor G, MA

<sup>5</sup> extimatur J, K, L

<sup>6</sup> quisque sed J; quisquis G, MA

<sup>7</sup> preponatur J, K, L

<sup>8</sup> *omit.* MA

[12] *The limited time*<sup>1</sup> does not permit me to relate in full how Justina harassed Ambrose, but I shall not pass over an episode told in the *Tripartite History*<sup>2</sup>: When Justina saw that all the people was hanging on Ambrose's lips, she sent armed men to the church with orders to seize him and send him into exile. But hear – I ask you - Reverend Fathers, the fearless answer of this good shepherd: *I do not accept this, Ambrose said, for else I shall be handing the flock of sheep over to the wolves or to people who blaspheme God. Here I fall, if you wish, and in this place I shall freely accept death.*<sup>3</sup> Oh, spirit worthy of a true shepherd! Oh, words to be written in the hearts of all bishops. The eminent Doctor knew that *the good shepherd freely giveth his life for his sheep.*<sup>4</sup> Ambrose worried about leaving the people without [pastoral] care, and he would rather die than lose his sheep. It did not pain him to lose the lands of the Church, but the souls entrusted to him.

## 6. Avarice of the clergy

[13] But we today<sup>5</sup> – oh, what shame! – we do not care about men, but about money. We are concerned not about souls, but about silver and gold. A bishopric is valued not for the number of its people, but for the size of its incomes. A diocese may have countless souls and an infinite number of people, but if it is not awash with money, nobody will want to go there, and it will lie about unwanted as if it was a piffling inheritance. However, if a diocese is prosperous and its incomes large, *everybody will turn their eyes towards it.*<sup>6</sup> Nobody is appointed bishop there after careful scrutiny,<sup>7</sup> because the bishop is put in charge not of the people, but of the money. Indeed, if that is what we want, I advise that clerics should not study the Holy Scriptures like preachers, but the abacus like bean counters. Thus, when they are promoted to the episcopate, they will know both how to deal with money and how to set up accounts.<sup>8</sup>

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<sup>1</sup> Cicero: *De oratore* 3.61.228

<sup>2</sup> Cassiodorus: *Historia Tripartita*. Flavius Magnus Aurelius Cassiodorus Senator was a Roman writer, statesman and monk (ca. 490-ca. 584). He had translations made from the Greek ecclesiastical histories of Theodoret, Sozomen, and Socrates, and himself made extracts from these and combined them in the *Historia Tripartita*, a somewhat unreliable text, but nevertheless much used throughout the Middle Ages as a manual of history

<sup>3</sup> *Historia Tripartita* 9, 21, p. 528: *Ego sponte hoc non ago, ne lupis ovium saepta videar contradere, aut blasphemantibus Deum; hic, si placet, occide; hoc loco mortem prona suscipio voluntate*

<sup>4</sup> John, 10, 11: *Bonus pastor animam suam dat pro ovibus*

<sup>5</sup> I.e. in 1436

<sup>6</sup> Seneca: *De clementia*, 1.8.4: *omnium in istam conversi oculi sunt*

<sup>7</sup> Scrutiny: of his pastoral qualities, presumably. A whole oration of Piccolomini, "*Si ea quae justa*" [4], at the Council of Basel in 1438, was devoted to the scrutiny of candidates for episcopal preferment

<sup>8</sup> Piccolomini is dripping irony!

[14] Melius tamen Ambrosium imitabimur; namque si clerici, hoc est de sorte domini, volumus esse<sup>1</sup>, eorum<sup>2</sup> viam sequi debemus, quorum sors dominus fuit. *Habet*, sicut Jeronimus ait, (libenter namque in hujus dictis tamquam in agro fertili versor) *unumquodque propositum suos principes: Romani duces imitentur Camillos, Fabricios, Regulos, Scipiones. Philosophi proponant sibi Pythagoram, Socratem, Platonem, Aristotelem.* [cont.]

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<sup>1</sup> volumus esse : esse volumus G, MA

<sup>2</sup> *omit.* K

## 7. Following Ambrose's example of poverty

[14] It would be better, however, to imitate Ambrose. For if we want to be clerics,<sup>1</sup> meaning those of the Lord's lot,<sup>2</sup> we should indeed follow the way of those whose lot was the Lord<sup>3</sup>: According to Jerome (for I happily move around among his sayings as in a fertile field)<sup>4</sup>, *every mode of life has its own exponents. For instance, let Roman generals imitate men like Camillus,<sup>5</sup> Fabricius,<sup>6</sup> Regulus,<sup>7</sup> and Scipio.<sup>8</sup> Let philosophers take for models Pythagoras,<sup>9</sup> Socrates,<sup>10</sup> Plato,<sup>11</sup> and Aristotle.<sup>12</sup> [cont.]*

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<sup>1</sup> Clericus, from Greek kleros, "lot". Cf. Decretum, D.21, 1 (col. 67)

<sup>2</sup> Cf. Deuteronomy, 18, 2; Paulinus, 41

<sup>3</sup> Psalms, 15, 5: The Lord is the portion of my inheritance and of my cup: it is thou that wilt restore my inheritance to me (*Dominus pars hereditatis meae et calicis mei tu possessor sortis meae*)

<sup>4</sup> Piccolomini shared his admiration Saint Jerome with other humanists: *The admiration of Italian humanists for Jerome is thus a single instance of a larger cultural phenomenon, the rediscovery and reevaluation of Christian antiquity, itself an integral part of the rediscovery and reevaluation of ancient arts and letters* (Rice, p. 85). The only work of Jerome used by Piccolomini in his orations (and only until 1452), was Jerome's Letters. Piccolomini had probably studied a volume containing these letters in the possession of Archbishop Pizzolpasso, and he even made a collection of excerpts from it to be used in his own later work, still extant in a manuscript in the Vatican Library, the Chis. J.VII.251, ff. 260r-262v

<sup>5</sup> Marcus Furius Camillus (ca. 446-365 BC): a Roman soldier and statesman of patrician descent

<sup>6</sup> Gaius Fabricius Luscinus Monocularis: said to have been the first of the Fabricii to move to ancient Rome. Consul 282 BC. The tales of Fabricius are the standard ones of austerity and incorruptibility

<sup>7</sup> Marcus Atilius Regulus (born probably before 307-250 BC): Roman general and consul

<sup>8</sup> Publius Cornelius Scipio Africanus (236-183 BC): also known as Scipio the African, Scipio the Elder, and Scipio the Great. Roman general in the Second Punic War and statesman

<sup>9</sup> Pythagoras of Samos (ca. 570-ca. 495 BC): ancient Greek philosopher, mathematician, and founder of the movement called Pythagoreanism

<sup>10</sup> Socrates (469-399 BC): Greek philosopher

<sup>11</sup> Plato (ca. 424-ca. 348 BC): Greek philosopher, student of Socrates, founder of the Academy in Athens, the first institution of higher learning in the Western world.

<sup>12</sup> Aristotle (384-322 BC): ancient Greek philosopher and polymath, student of Plato

[14 cont.] *Poetae aemulentur Homerum, Virgilium, Menandrum, Terentium. Historici Thucydidem, Sallustium, Herodotum, Livium. Oratores Lysiam, Gracchos, Demosthenem, Tullium. Et ut ad nostra veniamus, episcopi et presbyteri habeant in {17v} exemplum apostolos et apostolicos viros, quorum honorem possidentes, habere nitantur<sup>1</sup> et meritum. Quod si nobis durior apostolorum imitatio videtur, at saltem Ambrosii nostri recipiamus exemplum. Quod si fecerimus, nequaquam sub Christo paupere sequemur<sup>2</sup> divitias, aut affluentibus ipsis cor minime apponemus.*

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<sup>1</sup> habere nitantur : nitantur habere G, MA

<sup>2</sup> sequimur K

[14 cont.] Let poets strive to rival Homer,<sup>1</sup> Virgil,<sup>2</sup> Menander,<sup>3</sup> and Terence.<sup>4</sup> Let writers of history follow Thucydides,<sup>5</sup> Sallust,<sup>6</sup> Herodotus,<sup>7</sup> and Livy.<sup>8</sup> Let orators find masters in Lysias,<sup>9</sup> the Gracchi,<sup>10</sup> Demosthenes,<sup>11</sup> and Tully.<sup>12</sup> And, to come to our own case, let bishops and presbyters take for their examples the apostles or their companions; and as they hold the rank which these once held, let them endeavour to exhibit the same excellence.<sup>13</sup>

But if we find this imitation of the apostles too demanding, then let us at least follow the example of Ambrose. If we do so, we shall not – under Christ who was a poor man – be pursuing riches, or if they flow in on their own, we shall certainly not become dependent on them.

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<sup>1</sup> Homer: ancient Greek epic poet. Modern researchers appear to place Homer in the 7th or 8th centuries BC

<sup>2</sup> Publius Vergilius Maro (70-BC): Roman poet, author of the Aeneid. One of Piccolomini's favourite poets

<sup>3</sup> Menander (ca. 341-ca. 290 BC): ancient Greek playwright

<sup>4</sup> Publius Terentius Afer (195/185-159 BC): Roman playwright. One of Piccolomini's favourite authors

<sup>5</sup> Thucydides (ca. 460-ca. 395 BC): ancient Greek historian

<sup>6</sup> Gaius Sallustius Crispus (-ca. 35 BC): Roman historian

<sup>7</sup> Herodotus (ca. 484-425 BC): ancient Greek historian

<sup>8</sup> Titus Livius Patavinus (59-AD 17): Roman historian

<sup>9</sup> Lysias (ca. 445-ca. 380 BC): ancient Greek orator

<sup>10</sup> The Gracchi brothers, Tiberius and Gaius, (late 2<sup>nd</sup> c.BC): Roman plebeian nobles who both served as tribunes in the late 2nd century BC. Famous also as speakers

<sup>11</sup> Demosthenes (384–322 BC): Greek statesman and orator

<sup>12</sup> Marcus Tullius Cicero (106-43 BC): a Roman philosopher, statesman, orator, consul

<sup>13</sup> Jeronimus: *Epistola ad Paulinum* (58), 5. MPL, XXII, col. 583. The last part of this passage was also used by Piccolomini in his *Oration "Si ea quae justa" [4]*, sect. 25

[15] Exosam enim prae ceteris vitiis avaritiam habuit, praecipue tamen hujus turpissimi sceleris sacerdotes desiderabat immunes, ne illa, quae Romanorum subvertit imperium, ecclesiam quoque pollueret. Sed quoniam de avaritia sermo incidit, nequaquam inutile fuerit pauca in hoc vitium dicere. Et ne quid ambigui nomen efficiat, avaritiam ego non, ut aliqui putant, solius aeris, sed auri quoque et argenti et ceterarum opum cupiditatem appello.

[16] Fateor enim antiquitus hanc fuisse consuetudinem, ut qui<sup>1</sup> avidi essent aeris, hi<sup>2</sup> dicerentur avari, cum nondum esset ullus<sup>3</sup> usus aureae monetae, vel argenteae. Nam solus aes habitum est<sup>4</sup> in pretio apud Romanos usque ad bellum Punicum primum. Quinque etenim dumtaxat annis ante id bellum signari argentum<sup>5</sup> coepit, bigarum et quadrigarum nota, anno urbis conditae quingentesimo octuagesimo quinto. Attamen<sup>6</sup> anno post secundo et sexagesimo nummus aureus percussus est. Aes autem Servius Tullius primus signavit nota pecudum, unde pecunia dicta est, cum antea rudi aere uterentur. Itaque licet variaretur<sup>7</sup> monetae materia, idem tamen avaro nomen mansit. Nec ista contraria sunt Lucano, qui ait:

*Primus Thessalicae rector telluris Ionos<sup>8</sup>  
In formam calidae percussit pondera massae;  
Fudit et argentum flammis, aurumque moneta,  
Fregit, et immensis coxit fornacibus aera.*

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<sup>1</sup> quod MA

<sup>2</sup> ii L

<sup>3</sup> omit. J

<sup>4</sup> solus aes habitum est : solum est habitum J, K, L

<sup>5</sup> tergendum add. D, G, K, L, MA; Mansi margin note: "vox corrupta"

<sup>6</sup> atque J, K, L

<sup>7</sup> variarentur MA

<sup>8</sup> Ionus J, K, L; (Itonus) add. MA; Ionos Lucanus

## 8. On avarice

[15] Ambrose considered avarice<sup>1</sup> to be by far the worst of vices,<sup>2</sup> and he particularly wanted priests to be free from this horrible sin, so that it should not flaw the Church as it had already destroyed the Roman Empire. But since we are talking about avarice, it will be useful to say something about this vice. And so that there should be no ambiguity about the concept, I use avarice in the sense of cupidity not only for money, as some do, but also for gold, silver and all other types of riches.

[16] In antiquity, they called "*avari*"<sup>3</sup> those who were avid for "*aes*"<sup>4</sup> <sup>5</sup> *for at that time they did not yet use gold or silver coin*<sup>6</sup>: *until the First Punic War the Romans only used bronze for payment. Then, about five years before that war, i.e. 485 years after the foundation of Rome, they started to mint silver coins with two-horse chariots and four-horse chariots. 62 years later, they struck coins of gold. King Servius Tullius*<sup>7</sup>, *however, was the first to stamp a design of an ox*<sup>8</sup> *on bronze, which is the origin of the term "pecunia"*.<sup>9</sup> *Before, only simple copper pieces had been used. So, whatever material was used to coin money, the same word "avaricious" was used.*<sup>10</sup> This is in accordance with Lucan<sup>11</sup> who says:

*Ionos, a king of Thessaly, was the first  
to hammer into shape ingots of molten metal;  
he melted silver in the fire, and broke up gold and stamped it,  
and smelted copper in vast furnaces.*<sup>12</sup>

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<sup>1</sup> Avarice (greed): one of the so-called Seven Deadly Sins, also known as the Capital Vices or Cardinal Sins, a classification of vices that have been used since early Christian times to educate and instruct Christians concerning fallen humanity's tendency to sin. The other sins are wrath, sloth, pride, lust, envy, and gluttony

<sup>2</sup> Paulinus, 41

<sup>3</sup> Avaricious, covetous

<sup>4</sup> Copper, bronze

<sup>5</sup> Gellius, 10.5.1-2: [quoting P. Nigidius] *Avarus enim, inquit, "appellatur, qui 'avidus aeris' est. Isidoro de Sevilla: Etymologiae, 10, 3: Avarus ex eo dictus, quod sit avidus auri*

<sup>6</sup> The Roman currency during most of the Roman Republic and the western half of the Roman Empire consisted of coins including the aureus (gold), the denarius (silver), the sestertius (brass), the dupondius (brass), and the as (copper). These were used from the middle of the third century BC until the middle of the third century CE

<sup>7</sup> Servius Tullius: the legendary sixth king of ancient Rome, and the second of its Etruscan dynasty. Reigned 578-535 BC

<sup>8</sup> Or sheep: the term "*pecus*" comprises both

<sup>9</sup> Plinius: *Historiae Naturalis*, 33.13.43: *Servius rex primus signavit aes. Antea rudi usos Romae*

<sup>10</sup> Poggio Bracciolini: *De avaritia*, 6. Almost verbatim quote

<sup>11</sup> Marcus Annaeus Lucanus (39-65): Roman poet

<sup>12</sup> Lucanus: *De bello civili*, 6.402-405

[17] Potuit namque sic inter Graecos fuisse. Utcumque est, exclamare cum Boëthio possumus:

*Heu primus quis fuit ille  
Auri, qui pondera tecti,  
Gemmasque latere volentes  
Pretiosa pericula fodit?*

[18] Absit tamen, ut monetae usum damnem, quia et uti eadem recte licet. Eos vero accuso, eosque vitupero, quorum semper est occupatus in quaerendo animus, qui dediti sunt studio thesaurizandi, qui cupiditati obnoxii et pecuniarum {18r} sunt servi hujusce nefandissimi vitii, ut *faciem et quasi picturam quandam* Virgilius expressit his versibus, *quibus descripsit harpyas*:

*Virginei volucrum vultus, foedissima ventris  
proluvies, uncaeque manus, et pallida semper  
ora fame ...*

Humanus vultus non hominem significat esse avarum, sed monstrum, sub cuius aspectu placido latet truculenta bestia ad omne nefas parata; testanturque virginei vultus cupiditatem avari semper virescere; *numquam enim, ut scitis, satiatur, aut<sup>1</sup> expletur cupiditatis<sup>2</sup> sitis, semper appetit, semper eget*; nam veteri proverbio *tam deest avaro quod habet quam quod non habet<sup>3</sup>*. Praetereo cur volucres finxerit, quid pallida ora, quid proluvies illa ventris importent. Nemo est enim tam hebes ingenio, qui haec avaro nesciat applicare.

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<sup>1</sup> ut K

<sup>2</sup> cupiditas G, MA

<sup>3</sup> quam quod non habet *omit.* J

[17] It may have been so with the Greeks. At any rate, we may exclaim together with Boethius<sup>1</sup>:

*Woe, woe for him, whoever it was,  
Who first gold's hidden store revealed,  
And—perilous treasure-trove—dug out  
The gems that fain would be concealed!*<sup>2</sup>

[18] Far be it from me to condemn the use of money in as far as it is used rightly. However, the ones I blame, the ones I accuse, are the ones who are always intent on amassing, who are only concerned about hoarding, and who, enslaved by greed and money, are the servants of this abominable vice. Virgil depicted *their face and likeness*<sup>3</sup> in those verses, *where he described the Harpies*<sup>4 5</sup>:

*Maiden faces have these birds, foulest filth they drop,  
clawed hands are theirs, and faces ever gaunt with hunger.*<sup>6</sup>

The human face means that the avaricious person is not a man, but a monster, whose peaceful exterior hides a truculent beast, ready to commit every misdeed. The maiden faces show that the cupidity of avaricious men is always fresh. *For greed is never sated or fulfilled, it always wants more, it always needs something else.* According to an old proverb, *the miser misses what he's got no less than what he hasn't.*<sup>7</sup> I pass over why Virgil imagined them as birds, and what is the meaning of the gaunt face and the foul filth.<sup>8</sup> Nobody is so stupid as not to know how these apply to the greedy.

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<sup>1</sup> Anicius Manlius Severinus Boëthius (ca. 480– ca. 524): Roman philosopher

<sup>2</sup> Boethius: *De consolatione philosophiae*, 2, 5, 27-30. Quoted after the translation by H.R. James: Boethius, *The Consolation of Philosophy*. London: Stock, 1897

<sup>3</sup> Poggio Bracciolini: *De avaritia*, 8

<sup>4</sup> Harpies: In Greek mythology harpies were winged spirits best known for constantly stealing all food from Phineus. The literal meaning of the word seems to be "that which snatches"

<sup>5</sup> Poggio Bracciolini: *De avaritia*, 8

<sup>6</sup> Vergilius: *Aeneis*, 3.216-217

<sup>7</sup> Poggio Bracciolini: *De avaritia*, 7. Verbatim quote. The proverb is from Publilius Syrus: *Sententiae*, 55. Quoted in Quintilianus: *Institutio oratoria*, 9.3.64

<sup>8</sup> Piccolomini does not quote the other interpretations of these images given by Poggio Bracciolini

[19] Sed quid ego in avaritiam armo gentiles, cum infiniti ex nostris eam impugnent? Utinamque tam<sup>1</sup> facile hoc scelus omnes dimitterent, quam facile detestantur. Recte inquit inter suos sermones Zeno: *Deus odit avaritiam, est enim libido profunda, cupiditas caeca, tempestas insana, rapacitas sine fine, sollicitudo sine requie, ad sua numquam perveniens vota*. Sed quibus ego verbis detestari avaritiam magis queam, quam Augustini<sup>2</sup>, qui fuit hujus Ambrosii nostri discipulus, et sicut ipse fatetur, *per lavacrum fidei filius*? Errorem namque Manichaeorum apud Carthaginem imbiberat adolescens, quem - sicut nostis - Ambrosius sibi detraxit, quod unum inter egregia nostri doctoris<sup>3</sup> facinora non dubitaverim nominare<sup>4</sup>, ex Ambrosio namque recepit<sup>5</sup> ecclesia, quidquid postea magnus attulit Augustinus.

[20] At quid ille de avaritia? Nempe ita in eam irascitur, *ut haereticis aequiperare avaros non vereatur in eo libro<sup>6</sup>, qui est contra Donatistas: Quaero enim, inquit<sup>7</sup> ipse, quis peccet gravius, an qui nesciens in haeresim incurrit, an qui sciens ab avaritia, hoc est idolatria, non<sup>8</sup> recessit?* Exinde subdit: *Sicut ergo haeretici regnum Dei non possidebunt, ita et avari regnum Dei non possidebunt*. Omitto infinitos testes, ne longior fiam, neve Flaccus de nobis rideat dicens<sup>9</sup>:

... Amphora coepit  
Institui, currente rota, cur urceus exit?

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<sup>1</sup> omit. G, MA

<sup>2</sup> Augustinus Ambrosii discipulus *in marg.* D, G

<sup>3</sup> egregia nostri doctoris : nostri doctoris egregia G, MA

<sup>4</sup> numerare L

<sup>5</sup> accepit J

<sup>6</sup> libri J

<sup>7</sup> omit. G, MA

<sup>8</sup> omit. G, MA

<sup>9</sup> omit. J

[19] But why am I marshalling gentile<sup>1</sup> authors against greed when countless of our own [Christian] authors attack it. If only it was as easy to banish this sin as it is to hate it! Zeno<sup>2</sup> in one of his sermons rightly said that *God hates avarice: it is a deep lust, a blind desire, an insane storm, boundless greed, worry without rest which never attains its goal.*<sup>3</sup> But how can I express the hate of greed better than in the words of Augustine,<sup>4</sup> who was the disciple of our Ambrose and - as he says himself - *his son in Faith, through baptism*<sup>5</sup> As a young man in Carthage<sup>6</sup> Augustine had been impressed by the erroneous teachings of the Manichees,<sup>7</sup> but - as you know - Ambrose pulled him away from them, and this I do not hesitate to call one of the most important deeds of our Doctor of the Church. For that which the great Augustine later gave to the Church, it received through Ambrose.

[20] How was Augustine concerned about greed? Actually, he was so incensed about it that *he did not hesitate to compare the greedy to heretics in his book Against the Donatists, saying*<sup>8</sup>: *Which is the worse, I ask: the man who unknowingly falls into heresy, or the man who knowingly refuses to reject covetousness, i.e. idolatry.*<sup>9</sup> And later he adds: *as therefore heretics shall not possess the Kingdom of God, so the covetous shall not inherit the Kingdom of God.*<sup>10</sup> I pass over countless other witnesses so as not to bore you and make Flaccus<sup>11</sup> laugh at us when he says:

*Why as the wheel runs round  
does it turn out a pitcher?*<sup>12</sup>

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<sup>1</sup> I.e. classical pagan authors like Virgil

<sup>2</sup> Zeno of Verona (ca. 300-371/380): Bishop of Verona. Saint

<sup>3</sup> Zeno of Verona: *Sermo (Tractatus)*, 3: *De avaritia*, 1, 21, p. 68

<sup>4</sup> Aurelius Augustinus Hipponensis (354-430): also known as St. Augustine. Bishop of Hippo (present-day Annaba, Algeria). Doctor of the Church. Saint

<sup>5</sup> "per lavacrum": through baptism. Augustine was baptised by Ambrose in Milan

<sup>6</sup> Carthage: the centre of the Carthaginian Empire in antiquity, today a suburb of Tunis, Tunisia

<sup>7</sup> Manichaeism: major gnostic religion, originating in Sassanid era Babylonia. Although most of the original writings of the founding prophet Mani (ca. 216-276) have been lost, numerous translations and fragmentary texts have survived. "Manichaeism" as used in contemporary popular discourse refers to someone who sees the world as a struggle between the two fundamental powers of Good and Evil

<sup>8</sup> Donatism: a Christian sect (named for the Berber Christian bishop Donatus Magnus) within the Roman province of Africa that flourished in the fourth and fifth centuries. Considered a heretical sect by the Church

<sup>9</sup> Augustine: *De Baptismo contra Donatistas*, 4, 5, 8. Translation is quoted after the New Advent ed., *On Baptism against the Donatists*.

<sup>10</sup> Augustine: *De Baptismo contra Donatistas*, 4, 19, 27. Cf. 1 Corinthians, 6, 9. The whole passage is an almost verbatim quote from Poggio Bracciolini: *De avaritia*, 29

<sup>11</sup> I.e. Horace

<sup>12</sup> Horatius: *Ars poetica*, 21

[21] Redeo ad nostrum Ambrosium, cujus {18v} semper in ore apostoli verbum erat, quo servitatem idolorum praedicat avaritiam, ideoque revocandum esse labentem rationem dicebat, ejusque monitis fore obtemperandum. Subditos suos homines esse docebat<sup>1</sup>, hoc est *umbram et pulverem*, ut ait Flaccus, sed praeditos animo immortalis. Hunc<sup>2</sup> unum esse ditandum, colendum, ornandum; reliquis vero in rebus non magnum studium esse ponendum, sed utendum pro comite hujus brevissimae vitae ac velocissimae. Solebat referre Cratem<sup>3</sup>, qui magnum auri pondus abiecit, ut expeditus<sup>4</sup> sequeretur philosophiam, nec putavit se posse virtutes simul et divitias possidere. Referebat etiam *Diogenem Cynicum humana omnia contempnentem*<sup>5</sup>, qui se ideo magno rege ditorem asseverabat, quoniam ipse videlicet paucioribus indigeret. Sororia quoque de nostris narrabat, omnesque illos<sup>6</sup> paupertatis amatores proferebat<sup>7</sup> in medium, qui post Christum usque ad sua tempora abjectis mundanis opibus se ipsos abnegaverant. Non hic thesaurizandum, sed in caelo admonebat, et cum esset eloquentissimus, facile omnia suadebat.

[22] Nec enim cohortari ad virtutem ardentius aut a vitiis revocare acrius quisquam potuit quam Ambrosius, quia, quod aliis praedicabat, ipse primus implebat, nec alius domi erat quam in ecclesia. Thesaurum suum inter egentes assidue dividebat, asserens quia hujusmodi ecclesiarum bona non magis possidenda tradantur<sup>8</sup>, quam dispensanda committuntur. Et quoniam elemosynae peccata delent, mortem perimunt, et poenam perpetui ignis extinguunt, nihil tam aptum fidei aut tam conveniens pietati putabat, quam egentium juvare pauperiem, infirmorum curam recipere, et fraternis necessitatibus subvenire. Erat etiam<sup>9</sup> ejus studium *visitare languentes, provocare hospitio, lenire blanditiis, gaudere cum gaudentibus, et flere cum flentibus. Caecorum baculus, esurientium<sup>10</sup> cibus, spes miserorum<sup>11</sup>, solamen languentium fuit. Ita in singulis virtutibus eminebat, quasi ceteras non haberet.*

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<sup>1</sup> dicebat MA

<sup>2</sup> nunc K, L

<sup>3</sup> corr. ex. Socratem D; Socratem G, J, K, L, MA

<sup>4</sup> expeditus G, MA

<sup>5</sup> contempnentem J

<sup>6</sup> omit. K

<sup>7</sup> afferebat G, MA

<sup>8</sup> traduntur J, K, L

<sup>9</sup> igitur J, K, L

<sup>10</sup> exurgencium L

<sup>11</sup> infirmorum G, MA

## 9. Virtues of Ambrose 1

[21] Now I return to our Ambrose. He was always referring to the words of the Apostle who preaches that greed is servitude to idols: floundering reason must be brought back to sanity, and the warnings obeyed. He taught that men were the subjects of reason, i.e. *shadow and dust*<sup>1</sup> - as Flaccus<sup>2</sup> says – but endowed with an immortal soul. Only the soul should be enriched, cultivated and adorned. Other things one should not be greatly concerned about: they should simply be used as provisions for this very brief and rapidly passing life. Ambrose used to refer to Crates<sup>3</sup> who threw away a great amount of gold in order to follow philosophy more freely, and he thought that one could not be virtuous and rich at the same time.<sup>4</sup> He also referred to *Diogenes the Cynic*<sup>5</sup> who despised all things human and claimed that he was much richer than a king because he did not need people who were poorer than him.<sup>6</sup> Ambrose told similar things about our own<sup>7</sup> people, and he talked about all those lovers of poverty who, after Christ and until his own times, cast off earthly riches and lived in a state of abnegation. He urged people not to gather treasure here, but in Heaven, and as he was very eloquent, he readily convinced his listeners.

[22] Nobody could encourage virtue more ardently or discourage vice more vehemently than Ambrose for what he preached to others, he was the first to do himself, and he was the same at home as he was in the church. His money he regularly distributed to the poor saying that the possessions of the Church are entrusted [to clerics] not to keep, but to pass on.<sup>8</sup> And since alms redeem sins,<sup>9</sup> destroy death, and extinguish the punishment of perpetual fire, he considered that nothing is more proper for faith or suitable for piety than to alleviate the poverty of the poor, to nurse the ill, and to help brethren in need. His main concern was to *visit the sick, encourage men to show hospitality, soothe them with soft words, rejoice with those who rejoiced and weep with those who wept.*<sup>10</sup> *He was a staff to the blind, food to the hungry, hope to the dejected, consolation to the bereaved. Each single virtue was as conspicuous in him as if he possessed no other.*<sup>11</sup>

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<sup>1</sup> Horatius: *Carmina*, 4.7.16

<sup>2</sup> Quintus Horatius Flaccus (65-8 BC): Roman poet

<sup>3</sup> Crates of Thebes (ca. 365-ca. 285 BC): Greek philosopher belonging to the Cynic School

<sup>4</sup> Burley, (Crates)

<sup>5</sup> Diogenes of Sinope (404/412-323 BC): Greek philosopher and one of the founders of Cynic philosophy

<sup>6</sup> Burley, (Diogenes). Basil: *Ad adolescentes*, 9, 21: *Porro non sine benevolentia quadam mihi in mentem venit Diogenis humana omnia simul contemnentis*  
, *qui magno rege ditiores sed praedicabat, quod ipse videlicet pauciorum indigeret*

<sup>7</sup> i.e. Christian

<sup>8</sup> See Paulinus, 38

<sup>9</sup> Ecclesiasticus, 3, 33

<sup>10</sup> Romans, 12, 15, quoted by Paulinus, 39

<sup>11</sup> Jeronimus: *Epistola ad Heliodorum* (60), 8. MPL, XXII, col. 595

[23] Nullum ei tempus currebat in vanum: aut enim {19r} in ecclesia plebem docebat, aut intra parietes suos<sup>1</sup> dictante spiritu sancto volumina conscribebat. Extant adhuc ejus scripta<sup>2</sup> complurima, scientiae<sup>3</sup>, sapientiae Dei plena, quorum si quisquam<sup>4</sup> nosse titulos cupit, successorem ejus hic praesentem adeat, qui suas reliquias diligentissime perquisivit. Dies mihi deesset<sup>5</sup>, si numerare<sup>6</sup> illius<sup>7</sup> volumina vellem, quae non solum ad scribendum, sed ad legendum quoque integram hominis vitam requirunt. Videturque<sup>8</sup> ille mihi et ante episcopatum et postea oratorios codices lectitasse, nec enim verborum delicias omisit, nec flosculos eloquentiae saecularis. Cujus exemplum valde eos refellit, qui poetas et oratores ecclesiastico viro interdicunt, Platonem - ut existimo<sup>9</sup> - imitati atque Jeronimum, quorum alter ex sua civitate poetas<sup>10</sup> exclusit, alter ideo se ab angelo verberatum dicit, quod Ciceroni nimium inhaereret<sup>11</sup>.

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<sup>1</sup> *omit.* J

<sup>2</sup> Ambrosii scripta *in marg.* D, G

<sup>3</sup> *ac add.* J, K; *et add.* MA

<sup>4</sup> quis K; quispiam G, MA

<sup>5</sup> deest K

<sup>6</sup> dinumerare K

<sup>7</sup> ejus MA

<sup>8</sup> *et add.* G, MA

<sup>9</sup> extimo J, K, L

<sup>10</sup> ex sua civitate poetas : poetas ex sua civitate G, MA

<sup>11</sup> inhaeret J

## 10. Literary production

[23] He never wasted his time: he was either in church instructing his people or at home writing books<sup>1</sup> under dictation by the Holy Spirit. Many of his writings are still extant, full of divine knowledge and wisdom. If anybody wishes to know their titles, he can just approach Ambrose's successor who is present here today,<sup>2</sup> and who has diligently searched for works left by Ambrose. One day would not be enough for me to just list his books; indeed, it would take a man's entire life not only to write them, but also to read them.

It is evident to me that both before and after becoming a bishop he read rhetorical works and that he did not neglect the delights of words or the flowers of secular eloquence. His example must be highly disappointing to those who would forbid a clergyman [to read the] poets and the orators, imitating, I think, Plato and Jerome: the first one banned poets from his city<sup>3</sup>, and the second one said that he had been scourged by an angel because he was too fond of Cicero.<sup>4 5</sup>

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<sup>1</sup> Cf. Paulinus, 38

<sup>2</sup> Francesco Pizzolpasso, Archbishop of Milan

<sup>3</sup> Plato: *The Republic*, 3, 398a sq; 10, 595 sq, 605b, 607a

<sup>4</sup> Jeronimus: *Epistola ad Eustochium* (22), 30. MPL, XXII, col. 418

<sup>5</sup> Later in his life, Jerome himself attached no great importance to this dream, see Cavallera, pp. 30-31: *Longtemps après, quand Rufin eut le mauvais goût d'aller chercher dans ce récit un argument contre Saint Jérôme, celui-ci affecta de n'y plus attacher aucune importance. Il répondit avec désinvolture qu'il ne fallait pas faire tant de cas d'un songe: on rêve parfois des choses si absurdes! Comment en être rendu responsable et y chercher une règle de vie?* See also Rice, pp. 85-87

[24] Sed audiant<sup>1</sup> Jeronimum, qui Jeronimi auctoritate se fulciunt. Ad Damasum quidem <sup>2</sup>proposita figura Deuteronomii de muliere captiva sic ait<sup>3</sup>: *Ita et nos facere solemus, quando philosophos legimus, quando in manus nostras libri eorum veniunt, vel sapientiae saecularis. Si quid in eis utile reperimus, ad nostrum dogma convertimus. Si quid vero superfluum, de idolis, de amore, de cura saecularium rerum, haec<sup>4</sup> radimus, his calvitium inducimus<sup>5</sup>, haec in unguium more ferro acutissimo desecamus.* Ad oratorem vero Romanum latius rem prosequitur, plurimosque tam ex Veteri Testamento quam ex Novo pro se testes adducens: *Quid mirum est,* inquit, *“si et ego sapientiam saecularem propter eloquii venustatem et membrorum pulchritudinem de ancilla atque captiva Israelitem<sup>6</sup> facere cupio?”*

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<sup>1</sup> audiunt L

<sup>2</sup> quidam J

<sup>3</sup> De secularibus libris *in marg.* D, G

<sup>4</sup> *omit.* J

<sup>5</sup> indicimus L

<sup>6</sup> Israeliten D; Israëlitam MA

## 11. Use of classical authors<sup>1</sup>

[24] But let those who rest their case on Jerome listen to Jerome himself: writing to Damasus<sup>2</sup>, he cites the allegory of the captive woman from Deuteronomy,<sup>3</sup> saying: *This is what we use to do when we read the philosophers, when their book or books of secular learning come into our hands. If we find something useful in them, then we convert them to our teachings. If we find anything that is superfluous or dealing with idols, sex, and the care of secular matters, we delete it. But concerning the others things, we shave their heads and pare their nails with a sharp blade.*<sup>4</sup>

And in another letter to a Roman rhetor he pursues the matter, with many quotations from the Old and the New Testament in his own support: *Is it surprising that I too, admiring the fairness of her form and the grace of her eloquence, desire to make that secular wisdom which is my captive and my handmaiden, a matron of the true Israel?*<sup>5</sup>

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<sup>1</sup> Iaria: *Enea*, p. 313

<sup>2</sup> Damasus I (c. 305-384): Pope from 366 to his death. His life coincided with the rise of Emperor Constantine I and the reunion and redivision of the Western and Eastern Roman Empires

<sup>3</sup> Deuteronomy 21, 10-14

<sup>4</sup> Jeronimus: *Epistola ad Damasum* (21), 13. MPL, XXII, col. 395. The allegory alludes to how captive women were prepared for the pleasure of Israeli men, cf. the passage from Deuteronomy

<sup>5</sup> Jeronimus: *Epistola ad Magnum* (70), 2. MPL, XXII, col. 666

[25] Legebat<sup>1</sup> igitur, sicut mihi videtur, etiam saeculares autores noster Ambrosius, magnae prudentiae fore dicens aurum in luto quaerere. Non tamen in tali lectione requiescebat, nec sonabat in ore ejus<sup>2</sup> *Jupiter omnipotens, et Mi Hercules<sup>3</sup>, et Mi Castor, et cetera*, sicut Jeronimus ait, *magis portenta quam nomina*. Sequebatur etiam<sup>4</sup> in hoc<sup>5</sup> suas apes, quae, ut<sup>6</sup> Basilius apud Graecos doctissimus, inquit: *Nec penitus<sup>7</sup> {19v} omnes flores adeunt, nec si quos adeunt, eos totos absumunt, sed eo ablato quod operi suo aptum sit, reliquum omne valere sinunt*. Sic de poetis Ambrosius factitabat. Nec enim omnes passim admittebat, sed tunc solummodo, cum aut virtutes extollunt aut vitia effulminant. In reliquis vero non aliter, quam ipsi poetae asserunt de Ulixē sirenarum cantus timenti, aures obdurabat<sup>8</sup>. Erat praeterea in orationibus creber, vigilans in precando, sed<sup>9</sup> lacrimas Deo, non hominibus offerebat: longe a simulatione<sup>10</sup>, longe ab hypocrisi<sup>11</sup> praedicans semper illud Platonicum, quia ultimus amentiae<sup>12</sup> terminus<sup>13</sup> est bonum<sup>14</sup> videri, cum non sis. Unde<sup>15</sup> prohibet ecclesiasticus<sup>16</sup>, ne quis hypocrita in conspectu hominum fiat.

[26] Festino ad finem, plurimaeque brevitatis causa praetermitto. Nec de parcitate ejus aut continentia multa dicam, in quibus virtutibus ita enituit, ut parem posthac<sup>17</sup> neminem sibi invenire sciam: abstinebat namque a carnibus, qui carnem crucifigere cum vitiis et concupiscentiis intendebat. Potuisset sub Pythagora vivere, qui, ut<sup>18</sup> est in Satyro:

*Ventri indulsit non omne legumen.*

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<sup>1</sup> legebatur L

<sup>2</sup> ore ejus : eius ore J, K, L

<sup>3</sup> Hercules J, K, L

<sup>4</sup> omit. J

<sup>5</sup> etiam in hoc : in hoc etiam K

<sup>6</sup> omit. K

<sup>7</sup> peritus J; pariter K, L

<sup>8</sup> obturabat K, L, MA

<sup>9</sup> omit. G, MA

<sup>10</sup> similacione L

<sup>11</sup> hypocrisi J, K, L

<sup>12</sup> iniurie J, K, L

<sup>13</sup> amentiae terminus : terminus amentiae G, MA

<sup>14</sup> donum J

<sup>15</sup> ut J

<sup>16</sup> ecclesiasticis MA

<sup>17</sup> postea K

<sup>18</sup> prout J, K, L

[25] So, it is evident to me that our Ambrose also read the secular authors, saying that it would be wise to look for gold also in dirt. However, he was certainly not content with this type of literature exclusively, and from his mouth you did not hear expressions like *Almighty Jove!*, *By Hercules!*, *By Castor!* and the like which, according to Jerome, are *omens rather than names*.<sup>1</sup> In this he followed his bees that, according to Basil,<sup>2</sup> one of the most learned men among the Greeks, *do not indiscriminately visit every flower, nor seek to remove all the nectar from the flowers on which they alight, but only draw from them what they need to make honey, and leave the rest*.<sup>3</sup> This is what Ambrose usually did with the poets for he did not use them indiscriminately, but only where they praise virtue or castigate vice. For the rest, he closed his ears to them just like those poets tell about Ulysses<sup>4</sup> fearing the song of the sirens.<sup>5</sup>

Otherwise Ambrose was often preaching, he was assiduous in prayer, he gave tears to God, not to men. He was far from simulation and hypocrisy, and he often referred to the words of Plato that supreme folly is to appear to be good when you are not. Therefore Ecclesiasticus absolutely forbids hypocrisy in anyone.

## 12. Virtues of Ambrose II

[26] I hasten towards the end, and for the sake of brevity I omit many things. I shall not say much about his frugality or abstinence:<sup>6</sup> in these virtues he excelled so greatly that I am unable to find anybody who equalled him in later times. For wanting to crucify the flesh with its vices and desires, he abstained from meats. He might have lived under Pythagoras who, according to the Satirical Poet,

*would not indulge his belly with every kind of pulse.*<sup>7</sup>

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<sup>1</sup> Jeronimus: *Epistola ad Theodoram* (75), 3. MPL, XXII, col. 687

<sup>2</sup> Basil of Caesarea (ca. 329-379): Greek bishop of Caesarea Mazaca in Cappadocia, Asia Minor (modern-day Turkey). Doctor of the Church. Saint. Basil's work, translated by Leonardo Bruni under the title *Ad adolescentes, became one of the works most frequently copied and printed in fifteenth-century Italy* (Rice, p 87). Bruni commented on his translation of the work thus: *Through the authority of such a man I wished to put an end to the ignorant perversity of those who attack the studia humanitatis and regard them as wholly aberrant* (ibid.)

<sup>3</sup> Basil: *Ad adolescentes*, 4, 9: *Illae [apes] enim nec omnes partier flores adeunt, nec si quos adeunt, eos totos assumunt, sed eo solo ablato quod opera suo aptum sit, reliquum omne valere sinunt*

<sup>4</sup> Ulysses = Odysseus: (perhaps fictional) Greek king of Ithaca and the hero of Homer's epic poem the *Odyssey*. Odysseus also plays a key role in Homer's *Iliad* and other works in the Epic Cycle

<sup>5</sup> Homer: *Odyssey*, 12.166-200. The point of the story was, however, that the sailors' ears were filled with wax, whereas Odysseus was bound to the mast without having his ears filled, so that he could hear the sirens without being able to give in to their irresistible calls. The faulty version of Odysseus' actions goes back to Basil: *Ad adolescentes*, 4, 1: *Cum vero in improborum hominum mentionem incidunt, fugienda est illorum imitatio, auresque claudendae, non secus atque ipsi ferunt Ulyxem ad Sirenum cantus*

<sup>6</sup> Cf. Paulinus, 38

<sup>7</sup> Juvenalis, 15.174

[27] Non ferculorum multitudine<sup>1</sup> aut vini, sicut hodie facimus, varietate oblectabatur. Tenebat tamen memoriae non solum illud Psalmistae: *Quia vinum laetificat cor hominis*, sed Platonis quoque sententiam non ignorabat, qui existimabat<sup>2</sup> *fomitum esse quemdam et pabulum ingenii virtutisque, si mens ex corpore hominis vino flagraret*. Ceterum neque Platonem neque psalmistam<sup>3</sup> velle dicebat, ut passim haurirentur vina, sed *modicis honestisque inter bibendum remissionibus refici integrarique animos ad instauranda sobrietatis officia*. Dicentem quoque cum istis conjungebat Apostolum: *Noli aquam bibere, sed vino modico utere propter stomachum tuum et frequentes tuas infirmitates*, nihilque aliud esse vinolentiam affirmabat quam resolutionem veneream, duasque illas<sup>4</sup> voluptates gustum et tactum<sup>5</sup> communes nobis esse cum bestiis. Idcirco<sup>6</sup> in pecudum ferarumque animalium<sup>7</sup> haberi numero, quisquis his<sup>8</sup> esset voluptatibus occupatus. Adducebat<sup>9</sup> {20r} saepe Socratis verba, quem dicere solitum referebat: *Multos homines propterea velle vivere, ut ederent et biberent; se bibere atque esse, ut viveret*.

[28] Fuit igitur noster Ambrosius mirabilis continentiae<sup>10</sup>, incredibilis pudicitiae, infinitae patientiae atque humilitatis. Audierat<sup>11</sup> vocem Domini: *Discite<sup>12</sup> a me, quia mitis sum et humilis corde*, inquietis<sup>13</sup>. Omnibus namque in rebus se vincere reputabat, cum ipse vinceretur, nisi vel honor Dei vel religionis integritas laederetur. Tunc enim incredibili vigore animi et constanti praesentia resistebat. Tunc nec parcebat ulli, nec timebat quemquam. Tenetis memoriae - sicut opinor - quo vultu, quo animo, quibusque verbis respondentem illum Theodosio Caesari Tripartita narrat Historia, cum sacram illi basilicam vetuit. Scitis quid<sup>14</sup> postea Ruffino pro imperatore supplicanti responderit: *Ego, inquit, Ruffine, praedico, quoniam eum ingredi sacra limina<sup>15</sup> prohibeo<sup>16</sup>*. *Si vero imperium in tyrannidem mutaverit, necem libenter et ego suscipio*. O vocem omnium laude dignam! O<sup>17</sup> animum pastoris egregium! Quis est, qui martyrem neget Ambrosium?

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<sup>1</sup> multitudinem MA

<sup>2</sup> existimavit L

<sup>3</sup> psalmigraphum J; philosophum K; philosophum *add.* L

<sup>4</sup> vini *add.* J, K, L

<sup>5</sup> gustum et tactum *omit.* G, MA

<sup>6</sup> idcircoque J, K, L

<sup>7</sup> *omit.* G, MA

<sup>8</sup> *omit.* G, MA

<sup>9</sup> abducebat D [NB: D corrected by G]

<sup>10</sup> abstinentie J

<sup>11</sup> enim *add.* J; audiverat enim K

<sup>12</sup> discitis K

<sup>13</sup> inquietis L

<sup>14</sup> quod MA

<sup>15</sup> ingredi sacra limina : sacra limina ingredi G, MA

<sup>16</sup> prohibebo J, K

<sup>17</sup> en J

[27] Unlike us, he did not enjoy having many courses of food or a variety of wines. He kept in mind not only the verse of the Psalmist: *That wine may cheer the heart of man*,<sup>1</sup> but also a saying of Plato that *it was a kind of touchwood and tinder to the intellect and faculties if mind and body were inflamed with wine*.<sup>2</sup> But he also said that neither Plato nor the Psalmist wanted us to drink wine indiscriminately, but *by the proper and moderate recreation of drinking the mind was refreshed and renewed for resuming the duties of sobriety*.<sup>3</sup> To these he added the Apostle<sup>4</sup> saying: *Do not only drink water, but use a little wine for thy stomach's sake and thy frequent infirmities*.<sup>5</sup> He also said that drinking wine was the same as a prelude to sex, and that we have these two pleasures in common with animals: taste and touch. So those who are slaves to these pleasures should be considered as cattle and wild animals.<sup>6</sup> Also he often quoted Socrates saying that *many people wanted to live in order to eat and drink, but he himself drank and ate in order to live*.<sup>7</sup>

[28] So, our Ambrose was a man of admirable chastity, incredible purity, and infinite patience and humility. He had heard the voice of the Lord saying: *“Learn from me, because I am meek, and humble of heart.”*<sup>8</sup> For in all things, he considered himself to win if he himself lost, unless the honour of God or the integrity of religion had been offended. Then he would resist with incredible vigour of mind and constant attention; he would not spare anybody, and he feared no one. I believe you remember with what demeanour, courage and words he – according to the *Tripartite History* – answered Emperor Theodosius when he refused the emperor entrance to the holy basilica.<sup>9</sup> You know how later he answered Rufinus<sup>10</sup> making a petition on behalf of the emperor: *Rufinus, it is I who say that I forbid him to come through the holy entrance. But if he has changed empire into tyranny, then I will gladly accept being murdered*.<sup>11</sup> Oh, praiseworthy answer! Oh, excellent shepherd’s soul! Who will deny that Ambrose was a martyr?

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<sup>1</sup> Psalms 103, 15

<sup>2</sup> Gellius, 15.2.3; Macrobius: *Saturnalia*, 2.8.4: *fomitum esse quem clam dicens et ignitabulum ingenii virtutisque, si mens et cor ... hominis vino flagaret*

<sup>3</sup> Gellius, 15.2.5

<sup>4</sup> Paul

<sup>5</sup> 1. Timothy 5, 23. Quoted in Jeronimus: *Epistola ad Eustochium* (22), 8. MPL, XXII; col. 399

<sup>6</sup> In 1445, Piccolomini returned to this theme in his oration *“Non est apud me”* [6], sect. 43: *According to Macrobius (2, 8, 10-12), Aristotle claims that pleasure derived immoderately from all these senses is base and wicked, but excessive pleasure derived from taste and touch – a compound pleasure, as wise men have judged it – is the most disgusting of all ... The two pleasures of food and sex are the only ones that human beings share with the beasts and that’s why that anyone wholly in the grip of these pleasures should be counted among the animals of the fields and the wilds*

<sup>7</sup> Burley, (Socrates). Also quoted in Macrobius: *Saturnalia*, 2.8.12

<sup>8</sup> Matthew, 11, 29

<sup>9</sup> Cf. Collins, p. 63

<sup>10</sup> Flavius Rufinus (- 395): a 4th century Eastern Roman Empire statesman of Gaulish extraction who served as Pretorian prefect of the East for the emperor Theodosius I, as well as his son Arcadius, under whom Rufinus was the actual power behind the throne

<sup>11</sup> *Historia Tripartita*, 9, 30, p. 543: *Ego, inquit, Rufine praedico, quoniam eum ingredi sacra limina prohibebo; si verum imperium in tyrannidem mutabit, necem libenter et ego suscipio*. Cf. Paulinus, 24

[29] Utinam ille animus et illa constantia nobis esset, nec enim auctoritatem ecclesiae in manibus principum poneremus. Ego faciam, dicebat Ambrosius, *quod sacerdotis; quod imperatoris est, faciat imperator. Prius est, ut animam mihi quam fidem eripiat*. Quod si modo dicere auderemus, major principum esset erga ecclesiam reverentia<sup>1</sup>. Nec enim Theodosii nunc deessent, si<sup>2</sup> reperirentur Ambrosii. Sed quid ille de Ambrosio dixerit<sup>3</sup>? Audite, obsecro, testimonium Theodosii: *Vix, enim ait, veritatis inveni<sup>4</sup> magistrum; Ambrosium namque solum novi digne vocari pontificem*. Quo unico testimonio omnes laudes meae vincuntur.

[30] At est non solum Caesarea laude sublimis, sed etiam divino praeconio illustris Ambrosius, multifariam namque multisque modis clarere hunc hominem divina majestas voluit. Expellebat enim<sup>5</sup> immundos spiritus, illuminabat caecos, paralyticos liberabat, et omni morbo detentos sanitati restituebat. Florentiae quoque clarissimi viri Dicentii extinctum subita morte filium suscitavit. Praeterea {20v} duo corpora martyrum Gervasii atque Protasii Mediolani repperit. Qui martyres, sicut ait Jeronimus, cum jampridem apparendi haberent tempus, hominem, cui se proderent, inquirebant, eum<sup>6</sup> certe, cui sub ea fide revelarent<sup>7</sup>, qua martyria sustinuissent.

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<sup>1</sup> major principum ... reverentia : discerent principes extra cancellas in ecclesia remanere et sancta sanctorum relinquere sacerdotibus J

<sup>2</sup> sed J

<sup>3</sup> dixit J, K, L

<sup>4</sup> veritatis inveni : inveni veritatis G, MA

<sup>5</sup> namque J

<sup>6</sup> illum J

<sup>7</sup> revelarentur J

[29] I wish we had his courage and steadfastness, then we would not place the authority of the Church in the hands of princes. Ambrose said: I shall do *what a priest should do. Let the emperor do what an emperor should do. He will take my life before he takes my faith.*<sup>1</sup> If only we dared to speak thus today, then princes would have greater respect for the Church. And if there were people like Ambrose today, there would also be people like Theodosius. But what did Theodosius have to say about Ambrose? Pray listen to Theodosius' own testimonial: *I have hardly been able to find a teacher of truth: the only one I know who is worthy of being called a "Bishop" is Ambrose.*<sup>2</sup> This single testimonial surpasses all of my eulogies.

### 13. Miracles

[30] Ambrose was not only singled out for imperial praise, he was also distinguished by divine praise, for the Divine Majesty wanted to exalt this man in many and different ways. Thus Ambrose expelled unclean spirits,<sup>3</sup> he restored sight to the blind and movement to the lame,<sup>4</sup> and he healed all kinds of illnesses. In Florence, he even resuscitated the worshipful Dicientius' son who had died suddenly.<sup>5</sup>

Moreover, in Milan he found the two bodies of the martyrs Gervasius and Protasius.<sup>6</sup> According to Jerome,<sup>7</sup> these martyrs had already reached the time of their reappearance, but they were searching for the right man to entrust themselves to, one about whom they could feel certain that he was of the Faith for which they had been martyred.<sup>8</sup>

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<sup>1</sup> Ambrosius: *Sermo contra Auxentium de basilicis tradendis*, 18. Piccolomini also uses this passage in his oration "*Si ea quae justa*" [4], sect. 23

<sup>2</sup> *Historia tripartita*, 9, 30, p. 546

<sup>3</sup> Saints Gervasius and Protasius: Christian martyrs, probably of the 2nd century. They would have waited a couple of centuries to be rediscovered by Ambrose. See Paulinus, 21, 33, 43. See also Collins, p. 63

<sup>4</sup> Cf. Paulinus, 10

<sup>5</sup> Cf. Paulinus, 28

<sup>6</sup> Cf. Paulinus, 14. On Ambrose finding other bodies of martyrs, see Paulinus, 14, 29, 32, 33

<sup>7</sup> Jerome, or maybe Augustine who, not yet baptized, witnessed these events and relates them in his *Confessions* (9, 7, 16), and in *De Civitate Dei* (22, 8) as well as in his *Sermo 286 in natal. Ss. Mm. Gerv. et Prot.*

<sup>8</sup> I.e. he must not be a heretic, e.g. an Arian, but of the right, catholic, persuasion

[31] Quibus ex rebus ita erat celebre toto orbe nomen Ambrosii<sup>1</sup>, ut ad solam hominis famam complures pagani ad Christum desciverint<sup>2</sup>, inter quos fuit regina Marcomannorum Fritigil. Duo etiam potentissimi viri Persarum ad audiendam sapientiam sacerdotis venere Mediolanum, habitisque per interpretem cum eo colloquiis admiratione pleni discesserunt. Quid ultra? Tam clara erat hujus pontificis fama, ut ideo reputatus sit Arbogastes vincere, quia et notum Ambrosio se diceret et ab eo dilectum.

[32] O igitur beatissimam illam urbem, quae tantum meruit habere pontificem! O felicissimum principem, cui tantus patronus est datus! O fortunatissimum<sup>3</sup> populum, qui talem habet apud Deum intercessorem<sup>4</sup>! Ambrosius est, qui urbem illam Mediolani populosisimam ex peste praeservat. Ambrosius est, qui<sup>5</sup> nostro excellentissimo et sapientissimo principi secunda efficit bella. Ambrosius est, qui omnes adversariorum conatus infringit.

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<sup>1</sup> nomen Ambrosii *corr. ex.* Ambrosii nomen D; Ambrosii nomen G, MA

<sup>2</sup> desciverunt G, MA

<sup>3</sup> illum *add.* L

<sup>4</sup> o fortunatissimum ... intercessorem *omit.* J

<sup>5</sup> *omit.* J

## 14. Fame

[31] For these reasons the name of Ambrose was so renowned in the whole world that his fame alone was enough to make many pagans convert to Christ. Among them was Queen Fritigil<sup>1</sup> of the Marcomanni.<sup>2</sup>

And two high-ranking<sup>3</sup> Persians came to Milan to hear the wise words of the priest, and having conversed with him through an interpreter, they departed full of admiration.<sup>4</sup>

What more can I say? The fame of this pontiff was so great that Arbogastes<sup>5</sup> was reputed to have won a victory just because he said that Ambrose knew and loved him.<sup>6</sup>

## 15. Patron saint of Milan and its duke

[32] Oh, truly blessed is that city which merited so great a pontiff!<sup>7</sup> Oh, truly happy prince<sup>8</sup> who was given so great a patron! Oh truly fortunate people that has such an intercessor before God! Ambrose it is who preserves the populous city of Milan from the plague. Ambrose it is who gives success in war to our most excellent and wise prince. Ambrose it is who overcomes all the schemes of his enemies.

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<sup>1</sup> Fritigil (or Fritigils): Queen of the Marcomanni, is the last known ruler of the Germanic peoples who were at that time (mid 4th century) probably settled in Pannonia. She is alleged to have had her residence in the present Burgenland. Fritigil corresponded with Ambrose of Milan about the conversion of her people to Christianity

<sup>1</sup> Paulinus, 36

<sup>2</sup> Paulinus, 36

<sup>3</sup> "potentissimi"

<sup>4</sup> Paulinus, 25

<sup>5</sup> Flavius Arbogastes (- 394): Frankish general in the Roman Empire

<sup>6</sup> Paulinus, 30

<sup>7</sup> An allusion to the Easter hymn of Exultet with the words: *O blessed sin that merited to have so great and such a saviour (O felix culpa, quae tantum ac talem meruit habere redemptorem)*

<sup>8</sup> Filippo Maria Visconti (1392-1447): Duke of Milan, 1412 -1447. At this time, Piccolomini was endeavouring to win his patronage, see his oration "Audivi" [1]

[33] Ceterum, *quid te subtrahis, quid tergiversaris, oratio*<sup>1</sup>, *quid sic*<sup>2</sup> *times ad ultimum pervenire? Heu miserabilis humana conditio, et sine Christo vanum*<sup>3</sup> *omne, quod vivimus. Omnis caro fenum et omnis gloria ejus quasi flos feni.* Peregit et noster Ambrosius humanum cursum, sed non invitus e vita migravit *cupiebatque*<sup>4</sup> *dissolvi et esse cum Christo.* Praedixerat quippe et ipse<sup>5</sup> suum obitum. Ideoque rogatus a Stilicone comite, ut in vita maneret: *Non*<sup>6</sup> *ita inter vos vixi, respondit, ut vivere me pudeat; nec timeo mori, quia bonum dominum habemus.* Cumque in lectulo aegrotaret, circumstantium ipse omnium moestitiam solabatur, et universis circa plorantibus solus ipse cum Christo gaudebat, quem visibiliter ad ipsum descendisse Bassinus, episcopus Laudensis ecclesiae, rettulit. Cujus praesentia ita confirmatus Ambrosius est, ut paucis post diebus libens et laetus, sumpto dominico corpore, spiritum exhalaverit; *unde et corpus terra suscepit, et animam Christus.*

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<sup>1</sup> oro D, G, MA

<sup>2</sup> si K

<sup>3</sup> dampnum K

<sup>4</sup> cupiebat namque J

<sup>5</sup> quippe et ipse : ipse quippe G, MA

<sup>6</sup> nam J

## 16. Death

[33] But - I ask - *why do you drag it out, why do you hesitate, why do you fear coming to the end? The human condition is indeed miserable, and vain is all life without Christ.*<sup>1</sup> *All flesh is hay, and all its glory like a hay flower.*<sup>2</sup> Our Ambrose fulfilled his human course, but he did not die unwillingly, and he really *desired to be dissolved and to be with Christ.*<sup>3</sup> He actually foretold his own death, and when he was asked by Stilicho to stay alive,<sup>4 5</sup> he answered: *I have lived among you in such a manner not to be ashamed to live on. But I do not fear death, because we have a good Lord.*<sup>6</sup> When he lay ill in bed, he consoled all the grieving bystanders, and while everybody else was crying, he alone rejoiced with Christ<sup>7</sup> who had visibly come down to him, as related by Bishop Bassinus of the Church of Lodi.<sup>8</sup> Thus comforted by Christ's presence, Ambrose gave up his soul after some days, joyful and happy, having taken the Lord's body. *Afterwards earth received his body; his soul was given back to Christ.*<sup>9</sup>

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<sup>1</sup> Jeronimus: *Epistola ad Heliodorum* (60), 13. MPL, XXII, col. 599

<sup>2</sup> Isaiah, 40, 6: *all flesh is grass, and all the glory thereof as the flower of the field* (omnis caro fenum et omnis gloria eius quasi flos agri). Quoted in Jeronimus: *Epistola ad Heliodorum* (60), 13. MPL, XXII, col. 597: *O miserabilis humana conditio, et sine Christo vanum omne quod vivimus! Quid te subtrahis? Quid tergiversaris, oratio; quasi enim mortem illius differre possimus, et vitam facere longiorem, sic timemus ad ultimum venire. Omnis caro foenum et omnis gloria ejus quasi flos foeni*

<sup>3</sup> Philippians, 1, 23: *desiderium habens dissolvi et cum Christo esse*. Quoted in Jeronimus: *Epistola ad Heliodorum* (60), 13. MPL, XXII, col. 593

<sup>4</sup> Flavius Stilicho (c. 359-408): high-ranking general who was, for a time, the most powerful man in the Western Roman Empire. Half Vandal and married to the niece of the Emperor Theodosius, Stilicho's regency for the underage Honorius marked the high point of German advancement in the service of Rome

<sup>5</sup> Paulinus, 45

<sup>6</sup> Direct quote from Paulinus

<sup>7</sup> Jeronimus: *Epistola ad Heliodorum* (60), 13. MPL, XXII, col. 597

<sup>8</sup> Cf. Paulinus, 47

<sup>9</sup> Jeronimus: *Epistola ad Heliodorum* (60), 14. MPL, XXII, col. 598

[34] Ex cuius exemplo debemus {21r} et nos animo praemeditari, quid futuri simus, et quia sive Titonis<sup>1</sup> senectutem speremus sive vivacissimi apud nostros Mathusalem<sup>2</sup>, qui mille annos<sup>3</sup> minus quadraginta<sup>4</sup> vixisse dicitur, moriendum est tandem. Ob quam causam praeparare nos ipsos ad virtutem debemus, et ceteris omnibus pro nihilo habitis animum nostrum ad illa caelestis aulae gaudia sublevare, ubi nihil umquam deest, nihil a suo statu tollitur aut declinat, omnia bona atque perpetua exuberant; ubi nemo eget, nemo invidet, nemo furatur, nemo rapit, nemo proscribit, nemo jugulat, et nemo moritur; ubi<sup>5</sup> omnes felices, omnes unanimes, omnes immortales, omnes sunt semper aequales; ubi<sup>6</sup> quod unius est, omnium est, et quod omnium, singulorum. Ad quam beatitudinem ille perducere nos<sup>7</sup> dignetur, qui cum patre et<sup>8</sup> spiritu Sancto regnat in saecula benedictus. Amen<sup>9</sup>.

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<sup>1</sup> Thitoni D, J, K, L

<sup>2</sup> *omit.* K

<sup>3</sup> annis J

<sup>4</sup> XXX J, K

<sup>5</sup> *omit.* J

<sup>6</sup> uti J

<sup>7</sup> perducere nos : nos perducere G, MA

<sup>8</sup> patre et *omit.* G, MA

<sup>9</sup> *omit.* J

## 17. Conclusion

[34] Following his example, we, too, should think of our future, and whether we may hope for the old age of Tithonus<sup>1</sup> or – among our own – of the very long-lived Methuselah<sup>2</sup> who is said to have lived for 960 years,<sup>3</sup> in the end we have to die. Therefore, we should prepare ourselves for virtue, and disregarding everything else we should raise our soul to the joys of the Heavenly Court where nothing is ever lacking, nothing loses its position or goes into decline, and where there is joyful abundance of everything good and eternal: nobody lacks for anything, nobody is jealous, nobody steals, nobody robs, nobody condemns to death, nobody kills, and nobody dies; where all are happy, unanimous, immortal, and equal; where whatever belongs to one belongs to all, and whatever belongs to all belongs to each. May He deign to lead us to this blessed state who reigns together with the Father and the Holy Spirit, blessed for all ages. Amen

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<sup>1</sup> Tithonus: In Greek mythology, the lover of Eos, Titan of the dawn known in Roman mythology as Aurora. Eos kidnapped Ganymede and Tithonus, both of the royal house of Troy, to be her lovers. According to the Homeric Hymn to Aphrodite, when Eos asked Zeus to make Tithonus immortal, she forgot to ask for eternal youth. Tithonus, indeed, lived forever, but as a babbling, feeble old man

<sup>2</sup> Methusalem = Methuselah: according to the Bible, the oldest person to ever live. Methuselah was the son of Enoch and the grandfather of Noah. The name Methuselah, or the phrase "old as Methuselah", is commonly used to refer to any living thing reaching great age. Jeronimus: *Epistola ad Heliodorum* (60), 14. MPL, XXII, col. 598

<sup>3</sup> Basil: *Ad adolescentes*, 10, 4: *Ego autem, sive quis Tithoni senectutem sive Arganthonii dicat, sive vivacissimi apud nos Mathusalae*

**(Orations of Pope Pius II; 3)**

**Oration "*Quid est*" of Enea Silvio Piccolomini (27 April 1438, Vienna). Edited and translated by Michael von Cotta-Schönberg**

**Preliminary edition, 5th version**

**2019**

## **Abstract**

In April 1438, Enea Silvio Piccolomini, then official at the Council of Basel, accompanied Bishop Bartolomeo Visconti of Novara on a voyage to Vienna. The bishop represented the Duke of Milan at the events leading to the acceptance by Albrecht V, Duke of Austria, King of Hungary and Bohemia, of his election as Holy Roman Emperor (as Albrecht II). During their stay in Vienna, Piccolomini wrote an oration or memorandum, in the name of Visconti, urging Albrecht to accept the imperial election. The reasons advanced in the oration were Albrecht's obligations towards the Empire, his eminent qualifications, and the advantages to the Hungarians, to Albrecht's family, to Albrecht himself, to the Church and to the Empire.

## **Keywords**

Enea Silvio Piccolomini; Aeneas Silvius Piccolomini; Pope Pius II; Bishop Bartolmeo Visconti; Albrecht V; Albert V; Albrecht II; Albert II; Holy Roman Empire; Imperial election, 1438; Renaissance orations; Renaissance oratory; Renaissance rhetorics; Kingdom of Hungary; Turks; Habsburg Dynasty; 1438; 15<sup>th</sup> century; Holy Roman Empire; Papa Pio II

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# I. INTRODUCTION

## 1. Context<sup>1</sup>

On 9 December 1437, Emperor Sigismund died. The prince electors of the Empire gathered in Frankfurt, and on 18 March 1438 they elected Albrecht, Duke of Austria and King of Hungary, as Holy Roman Emperor. Immediately afterwards they sent a message to Albrecht, notifying him of his election and asking him to accept it. It appears that Albrecht was hesitant to do so because of problems connected with his accession to the Kingdoms of Hungary and Bohemia. During the month of April, while in Vienna, he discussed the matter with his counsellors.<sup>2</sup> First on 29 April he accepted the election, as Albrecht II.<sup>3</sup>

In the meantime, the Duke of Milan, Filippo Maria Visconti sent Bishop Bartolomeo Visconti as his ambassador to Vienna to join the princes and other ambassadors assembled there and to support their efforts to persuade Albrecht to accept the election – probably a gesture aimed at improving the relations of the Visconti dynasty with the Empire.

Bartolomeo Visconti was a former employer of Enea Silvio Piccolomini. Some years earlier, they had parted company in rather ambiguous circumstances, connected with an unsuccessful Milanese plot against Pope Eugenius V in which Piccolomini became embroiled – with or without his knowledge. Nonetheless, relations between the two remained amicable, and when Visconti asked Piccolomini to join him on his voyage to Vienna, Piccolomini agreed.

In the section on Albrecht in his *De viris illustribus* (published 1458), Piccolomini wrote about the event – with no mention of the “*Quid est*”, but with focus on Hungarian opposition:

*Quo tempore et ego illuc veneram cum novariensi antistite, qui ducis Mediolani legatus erat et me in societatem ex Basilea uocauerat. hic multa consilia fuerunt an recipi imperium deberet; nam Hungari contrariari videbantur; nec enim bene prouideri et imperio et regno suo per unam personam rebantur. sed uicit alia pars, que acceptationem suadebat.*<sup>4</sup>

And in his *Commentarii* from 1462-1464, Piccolomini again wrote about the events in Vienna:

*Duke Filippo of Milan despatched his legate Bartolomeo, Bishop of Novara, who on arriving at Basel managed to persuade Aeneas to go with him to Austria.<sup>5</sup> Albert had not yet accepted the crown on account of the opposition of the Hungarians, who claimed that he had ascended the throne of Hungary on the understanding that he would not accept the Empire even if it was offered to him. Feeling unsure what to do, Albert decided to consult the envoys of the various*

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<sup>1</sup> CO, I, 9 (Heck, I, p. 52); RTA, 13, pp. 21-24; Boulting, p. 97; Lhotsky: *Wiener*, pp. 134-135; Voigt, I, pp. 155-157

<sup>2</sup> Hödl, pp. 17-18

<sup>3</sup> Böhmer, pp. 3-13

<sup>4</sup> Piccolomini: *De viris* (Heck), p. 56

<sup>5</sup> They probably arrived on 24 April, see Lhotsky: *Aeneas*, p 10

princes who were present.<sup>1 2</sup> During the time allowed for deliberations, Aeneas gave Bartolomeo a written statement<sup>3</sup> outlining why Albert should accept the crown and suggesting how the Hungarians could be induced to consent. When Bartolomeo read it out in the council, he was publicly thanked and Albert proclaimed himself emperor, with the Hungarians not only consenting, but actually urging him to do so.<sup>4</sup>

It is not certain whether the bishop really did read the memorandum in council, but in any case it is unlikely that it would have carried any weight as such.<sup>5</sup>

Gianantonio Campano, one of Pius' contemporary biographers, gave a somewhat different – and erroneous - account in his biography:

*He went to Albrecht, the emperor-elect, in Noricum and stayed with him briefly, trying to persuade him to side with the council fathers in Basel. However, Albrecht's sudden death made it uncertain whether he had succeeded.*<sup>6</sup>

Campano mentions neither the Bishop of Novara nor the matter of the imperial succession. His claim that Piccolomini somehow had dealings with Albrecht concerning the Council of Basel is most unlikely, and the Council had actually sent its own representatives to the king, Johann von Zengg and Juan de Palomar.<sup>7</sup>

Voigt scornfully declared Enea's memorandum as *dem Inhalt nach höchst unbedeutend*.<sup>8</sup>

Lhotsky, however, did not share this opinion. He wrote:

*Gewiss ist, dass das Elaborat eine erstaunliche Probe staatsmännlicher Einsicht und richtiger Beurteilung der politischen Faktoren in einem Bereiche bedeutet, der, wie man fürs erste meinen sollte, einem bisher nur im Süden und Westen Europas bewanderten Kenner nich ohne weiteres vertraut sein konnte.*<sup>9 10</sup>

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<sup>1</sup> Piccolomini's description of Albrecht's doubts appears to be correct, see RTA, 13, p. 23; Voigt, I, p. 155; Lhotsky: *Aeneas*, p. 7

<sup>2</sup> Piccolomini does not mention the presence of Duke Friedrich of Steiermark, Albrecht's cousin and successor on the imperial throne, and Piccolomini's own future employer

<sup>3</sup> Piccolomini's authorship of the text is confirmed by Beckman, RTA, 13, p. 21, and Voigt, I, p. 156

<sup>4</sup> CO I, 9 (Meserve, I, p. 38-39)

<sup>5</sup> Voigt, I, 156

<sup>6</sup> Zimolo, pp. 12-13: *Profectus ad Noricum ad Albertum Caesarem designatum, brevi apud eum mansit, traducere in sententiam Basiliensium conatus; an potuerit subsecuta statim illius mors incertum fecit*

<sup>7</sup> Hödl, p. 16

<sup>8</sup> Voigt, I, p. 156, n. 1

<sup>9</sup> Lhotsky: *Aeneas*, p. 8. See also Lhotsky: *Wiener*, p. 135, n. 355, where Lhotsky also defended Piccolomini against Voigt's criticism, stating that the arguments in the "*Quid est*" (incl. those concerning Hungary) were *aus dem Gesichtswinkel der Lage vom Frühjahr 1439 richtig gedacht*

<sup>10</sup> Some months later, a Milanese ambassador again appeared before King Albrecht, this time to formally congratulate him on behalf of the Visconti Duke of Milan. At this occasion a formal oration was delivered about which Paulhart wrote:

## 2. Themes

The main theme of the oration is that Albrecht should accept his election as emperor.

After referring to Albrecht's moral obligation towards the Empire, Piccolomini presents seven arguments in favour of accepting his election:

Firstly, Albrecht is the best of the possible candidates since he is the most powerful, the most popular, and the wisest of them all.

Secondly, it is an advantage for the Hungarians that their king be also emperor, for in that case he is in a better position to defend them against, for example, the Venetians. In this context, Piccolomini mentions some reticence on the Hungarian side concerning Albrecht becoming emperor. If there was such a reticence it might have been caused by the Hungarian experience with Albrecht's predecessor as king, Emperor Sigismund, *whose Western European orientation caused losses to Hungary*.<sup>1</sup> He does not refer to any conditions, made by the Hungarians, that Albrecht would become King of Hungary with the proviso that he would refrain from also becoming emperor.<sup>2</sup> Such a condition is only mentioned years afterwards in Piccolomini's *De Europa*, published in 1458:

*When Albert was crowned with his wife at Székesfehérvár, he also received the crown of Bohemia. Marveling at his success, the leaders of Germany also decided to elevate their own flesh and blood by entrusting him with the Roman Empire. Albert was not permitted to assume this position unless the lords of Hungary acquiesced, and to them it seemed disadvantageous for their king to rule the Germans; they had therefore bound Albert by oath not to accept the empire without their approval. However, after being summoned to the king, who was then in Vienna, they were overcome by his pleas and granted their consent.*<sup>3</sup>

The Hungarian conditions are also mentioned in Pius *Commentarii*, cf. above,

The Bishop of Novara and Piccolomini arrived in Vienna only some days before the 27th,<sup>4</sup> but as trained observers and diplomatic agents they would have been able to quickly pick up any rumours or reports concerning Hungarian opposition to Albrecht becoming emperor.

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*Die Rede im April [the Quid est] geht auf Enea Silvio Piccolomini zurück, der sich damals in der Begleitung des Bischofs von Novara befand. Von seiner Mitwirkung bei der Abfassung der zweiten Rede ist nichts zu merken. Wohl unterscheidet sie sich merklich von den früher üblichen schwülstigen und überladenen Machwerken dieser Art, doch fehlt die feine Feder eines Stilisten wie des Aeneas fühlbar (Paulhart, p. 290)*

<sup>1</sup> *A History of Hungary*, p. 61

<sup>2</sup> Albrecht's predecessor and father-in-law, Sigismund, had been both emperor and King of Hungary and Bohemia

<sup>3</sup> Piccolomini: *De Europa* (Brown), p. 55

<sup>4</sup> It must have been shortly before 27 April since Piccolomini was present in Basel on 4 April when he delivered the sermon "*Si quis me roget*" [2] to the council fathers

In article 13 of the electoral capitulation of 18 December 1437, setting out the conditions for the election of Albrecht as King of Hungary, he had promised to normally reside in Hungary:

*Item quod in isto loco, in quo sumus, nos cum ipsis manebimus et procedemus postea ad domos habitacionium nostrarum tam ante coronacionem quam post in Hungaria et ibi mansionem more aliorum regum faciemus et continuabimus.*<sup>1</sup>

And the envoy from Frankfurt reported that the Hungarians were not very positive (“wenig freundlich”) concerning Albrecht’s election as emperor.<sup>2</sup>

The character and importance of any Hungarian opposition are not attested to elsewhere, but it seems unlikely that Piccolomini would have referred to it in the speech if it was a matter of pure invention on his part: that would indeed have been very undiplomatic, and it would also have made a curious and negative impression on the audience. At any rate, the Hungarian issue is not the main subject of the speech, but only concerns one of Piccolomini’s arguments for Albrecht’s acceptance of the imperial crown.

Thirdly, the combined forces of Albrecht’s dominions and the Empire will strengthen them all against external enemies, and primarily against the Turks.

Fourthly, accepting the imperial crown will benefit Albrecht’s own dynasty, not only in terms of prestige and dignity, but also in terms of bestowing vacant offices, duchies, counties and margravates on members of his own family, thereby making it richer and more powerful. Indeed, the dynastic arguments may have been decisive in the process that led Albrecht to accept his election.<sup>3</sup>

Fifthly, it is advantageous to Albrecht himself who should not spurn Fortune, but accept its gifts. Remarkably, Piccolomini refers directly to the personal pleasure of exercising power (“the management of great things”).

Sixthly, it will help the Church to have an emperor who can reunite the divided Church, torn apart by the conflict between Pope Eugenius and the Council of Basel. As mentioned in the *Commentarii*, Piccolomini would at the time have preferred the emperor’s help to the Church to consist in support of the Council of Basel against the pope, but it would have been impolitic to say so in view of the German movement towards formal neutrality between the two parties, and the fact that the Bishop of Novara’s master, the Duke of Milan, was beginning to side with the pope.

Seventhly, if Albrecht does not accept his election, the Empire – like the Church – risks being torn apart between various other candidates for imperial power.

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<sup>1</sup> RTA, 13, p. 24

<sup>2</sup> RTA, 13, p. 24

<sup>3</sup> Hödl, p. 18

### 3. Date, place, audience and format

The oration/memorandum was delivered to Albrecht on 27 April, either in writing or being read directly, as Piccolomini states in his *Commentarii*.

The place was Vienna where Albrecht resided in April 1438 for the purpose of deciding whether to accept the imperial election.

The audience, if the text was presented during a formal meeting, would have been the counsellors of Albrecht, and possibly also the ambassadors and envoys present in Vienna.

The text was a memorandum, formally written as a letter but in a style which made it possible to deliver it in the form of an oration. Lhotsky considered it as *eine als Ansprache gedachte, aber vermutlich niemals deklamierte und bloss überreichte schöne lateinische Denkschrift*.<sup>1</sup> In his edition of Piccolomini's *Pentalogus*, Christoph Schingnitz refers to the text as *eine Rede*.<sup>2</sup> For the purpose of the present collection, it is classified as an oration.

### 4. Text<sup>3</sup>

The oration was not included in the Collected Orations of Pius II, compiled in 1462 under his direct supervision. The reason may be that the text was not available at the time of compilation, or that because of its character it was considered inappropriate for the collection.

#### 4.1. Manuscripts

- **Melk / Stiftsbibliothek**  
751,1 (729, slim), ff. 101r-102v (**M**)
- **Sémur / Bibliothèque Publique**  
39 (40), ff. 134v-136v (**S**)

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<sup>1</sup> Lhotsky: *Wiener*, p. 134

<sup>2</sup> Piccolomini: *Pentalogus* (Schingnitz), p. 7: *Er [Piccolomini] verfasste im Jahr 1438 eine Rede für den Bischof von Novara, Bartolomeo Visconti, die dieser als Gesandter des mailändischen Herzogs Albrecht II in Wien überreichte um ihn zur Annahme der Königswahl zu bewegen*

<sup>3</sup> For the textual transmission of Pius II's, see *Collected Orations of Pope Pius II*, vol. 1, ch. 5

In his edition of the oration, see sect. 4.2 below, Pez used a manuscript from Gemnic.<sup>1</sup> According to the editor of Albrecht II's acts, Gustav Beckmann, Gemnic stands for Gaming. Beckmann wonders why Pez did not use the text in Melk / Cod. Ms. 729 which he knew since he reproduced two other texts from that manuscript in his *Thesaurus*, but in view of the many differences between the manuscript used by Pez and the Melk manuscript, Beckmann appears to conclude that the manuscript used by Pez' was not the one from Melk.<sup>2</sup>

## 4.2. Editions

The text has been published in:

- Pez, Bernhard: *Thesaurus Anecdotorum Novissimus*. Tom. VI. Augusta Vindebonorum, 1729, Pars III, sect. 108, pp. 232-234 **(PE)**  
*[On the basis of a ms. in Gaming, apparently lost]*
- Fejer, György: *Codex diplomaticus Hungariae ecclesiasticus ac civilis*. Tom. XI. Buda, 1844. pp. 48-54  
*[On the basis of Pez]*
- *Deutsche Reichstagsakten unter König Albrecht II: 1438*. Stuttgart, 1925. (Deutsche Reichstagsakten. Ältere Reihe; 13), pp. 99-102

## 4.3. Present edition

For principles of edition (incl. orthography) and translation, see *Collected Orations of Pope Pius II*, vol. 1, ch. 9-10.

*Text:*

The present edition is based on the two manuscripts listed above and the edition by Pez, with the Melk manuscript as the lead text.

Though the two manuscripts were ably edited by Pez, they have – as a matter of principle – been re-collated for the present edition.

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<sup>1</sup> See note in Pez: Ex cod. Gemnic

<sup>2</sup> RTA, p. 99

*Pagination:*

The pagination is from the Melk manuscript.

## 5. Sources<sup>1</sup>

Due to the circumstances of delivery and presentation, the oration “*Quid est*” was not intended to be an exercise in grand and classical rhetorics, and there are only a very few rhetorical devices and classical references in the text. Indeed, only one quotation has been identified, from Plutarch on Socrates. Cicero refers to this saying in *Tusculanae Disputationes*, 5.37.108, where Piccolomini probably picked it up. He might also have known it from Burley (Socrates).

## 6. Bibliography

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<sup>1</sup> For an analysis of Piccolomini's use of sources, see *Collected Orations of Pope Pius II*, ch. 8

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## 7. Sigla and abbreviations

**M** = Melk / Stiftsbibliothek / Cod. Ms. 729

**S** = Sémur / Bibliothèque Publique / Cod. Ms. 39 (40)

**PE** = Pez, Bernhard: *Thesaurus Anecdotorum Novissimus*. T. VI. Augusta Vindebonorum, 1729 / Pars III, sect. 108, pp. 232-234

### Abbreviations

**CO** = Pius II: *Commentarii rerum memorabilium quae suis temporibus contigerunt* [1464]

**HA** = Eneas Silvius Piccolomini: *Historia Austrialis*. Teil 1: Einleitung von Martin Wagendorfer. 1. Redaktion ed. von Julia Knödler. Teil 2: 2./3, ed. Martin Wagendorfer. 2 vols. Hannover, 2009. (Monumenta Germaniae Historica. Scriptores Rerum Germanicarum. Nova Series; 24)

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**MA** = Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759

**MPL** = Migne, Jacques-Paul: *Patrologia latina*. 217 vols. 1841-1865

**RTA** = Deutsche Reichstagsakten

**WO** = *Der Briefwechsel des Eneas Silvius Piccolomini*. Hrsg. von Rudolf Wolkan. 3 vols. Wien, 1909-1918. (Fontes rerum Austriacarum, 2 / 61, 62, 67, 68)

**Decretum** = *Decretum magistri Gratiani*. Ed. Lipsiensis secunda. Eds. A.L. Richter & A. Friedberg. 2 vols. Leipzig, 1879

**Epistolarium** = Enee Silvii Piccolominei *Epistolarium Seculare*. Ed. A. van Heck. Città del Vaticano, 2007. (Studi e testi; 439)

**Rainaldus** = *Annales ecclesiastici ab anno MCXCVIII ubi Card. Baronius desinit*. Auct. Odoricus Raynaldus. Tom. XVIII-XIX. Roma: Varesius, 1659-1663

**Reject** = *Reject Aeneas, accept Pius : Selected letters of Aeneas Sylvius Piccolomini (Pope Pius II)*.  
Intr. and transl. by T.M. Izbicki *et al.* Washington, D.C., 2006



# II. TEXT AND TRANSLATION

## Epistola per dominum Bartholomaeum, episcopum Novariensem, missa domino Alberto Hungariae etc. regi et duci Austriae in Romanorum regem electo persuasiva, ut consentiat electioni<sup>1</sup>

[1] {101r} Quid est, rex serenissime, quod imperium renuis<sup>2</sup>? Quid est, optime princeps, quod tantum refugis honorem? Estne, quod vulgo dicitur, verum? Absit hic error. Neque enim utile, neque tibi<sup>3</sup> honorificum esset, falsum quoque<sup>4</sup> rumorem hunc<sup>5</sup> arbitror. Video<sup>6</sup> namque inifinitas paene causas, quae<sup>7</sup> te Romano<sup>8</sup> imperio praeficiant et<sup>9</sup> acceptare cogant<sup>10</sup>, quas<sup>11</sup> etsi tibi<sup>12</sup> existimo<sup>13</sup> notas<sup>14</sup>, earum<sup>15</sup> tamen<sup>16</sup> aliquas<sup>17</sup> in praesentiarum retulisse non poenitebit, ut<sup>18</sup> si<sup>19</sup> forte dubius sit animus, hoc momento impellatur.<sup>20</sup> Illudque<sup>21</sup> tibi persuade primum, non propter te offerri imperium tibi, sed propter rem Christianorum publicam. Neque enim imperium homini, sed homo imperio servit.

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<sup>1</sup> Epistola ... suscipiat : Oratio sive epistola habita per serenissimum dominum dominum B. de Vicecomitibus, dei gratia episcopum Novariensem, ad ducem Albertum Austriae et Ungariae Bohemiaeque regem in imperatorem electum per mortem domini Sigismundi unanimiter et concorditer per omnes dominos electores in Francfordia anno domini MCCCCmo XXXVIII<sup>mo</sup> de mense aprilis die XXVII<sup>ma</sup> renuentem acceptare, sed hac oratione motus acceptavit **S**; Bartholomaei de Vicecomitibus, episcopi Novariensis, epistola ad Albertum V., Austriae ducem, quem hortatur, ut oblatum Romani imperii regimen ne renuat, sed alacriter suscipiat **PE**

<sup>2</sup> respuis **S**

<sup>3</sup> id **S**

<sup>4</sup> falsum quoque : falsumque ego **S**

<sup>5</sup> rumorem hunc : hunc rumorem **S**

<sup>6</sup> vide **S**

<sup>7</sup> quos **M**

<sup>8</sup> Christiano **PE**

<sup>9</sup> illud *add.* **PE**

<sup>10</sup> cogunt **S**

<sup>11</sup> omnes **PE**

<sup>12</sup> *omit.* **S**

<sup>13</sup> extimo **S**

<sup>14</sup> notos **M**

<sup>15</sup> eorum **M**

<sup>16</sup> *omit.* **S**

<sup>17</sup> aliquos **M**

<sup>18</sup> et **M, PE**

<sup>19</sup> *omit.* **S**

<sup>20</sup> ut si ... compellatur : etsi forte dubius sit amicus, cujus monitu compellor **PE**

<sup>21</sup> illud **PE**

# **Letter of Bartolomeo Visconti, Bishop of Novara, to Albrecht V, Duke of Austria, in which he exhorts the duke not to refuse the rule of the Roman Empire, but to accept it willingly**

## **1. Introduction**

[1] Most serene king, why do you refuse the Empire? Why, oh best of princes, do you spurn this great honour? Is it really true what people say? May there be no such error: it would be neither to your advantage nor to your honour. I must believe this rumour to be false for I see almost countless reasons for you to become head of the Roman Empire, urging for your acceptance. Though I believe you know them all, I shall present some of them – so that if you are in doubt, they will point you in the right direction.

Above all, know that the Empire is not offered to you for your own sake, but for the sake of the Christian Commonwealth, and that it is not the Empire which serves the man, but the man who serves the Empire.

[2] Congregati ergo<sup>1</sup> domini electores, viri clarissimi, de salute imperii cogitantes, unum te in toto orbe viderunt, qui posses imperium sublevare, unaque sententia te<sup>2</sup> vocaverunt<sup>3</sup>. Quid igitur facias, vide, quia non tibi nec<sup>4</sup> Austriae natus es<sup>5</sup>, sed reipublicae, quae, ut est major, tanto nos astringit magis<sup>6</sup>. Certum est nos esse<sup>7</sup> obligatos solo, in quo nascimur, idque patriam appellamus, pro qua multi clarissimi viri non dubitaverunt<sup>8</sup> se<sup>9</sup> morti<sup>10</sup> objicere, sicut<sup>11</sup> Thebis Meneheus<sup>12</sup>, Athenis Codrus<sup>13</sup>, Romae Curtius, et alii quamplures, quos hic praetereo. Certum est tamen, quia<sup>14</sup> plus orbi quam uni urbi sumus<sup>15</sup> obnoxii, ideoque<sup>16</sup> Socrates non Atheniensem<sup>17</sup> aut ex alia urbe oriundum, sed mundanum<sup>18</sup> se dicebat, ut qui sciebat omne ipsius<sup>19</sup> studium omnemque cogitatum pro salute omnium publica consumendum nec esse ullam provinciam, quam<sup>20</sup> toti orbi praeferret<sup>21</sup>. [cont.]

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<sup>1</sup> igitur S

<sup>2</sup> *omit.* M, PE

<sup>3</sup> vocarunt S

<sup>4</sup> neque S, PE

<sup>5</sup> *omit.* M, PE

<sup>6</sup> astringit magit : magis astringit S

<sup>7</sup> *omit.* M, PE

<sup>8</sup> dubitarunt S

<sup>9</sup> sese S

<sup>10</sup> tradere et *add.* PE

<sup>11</sup> sic S

<sup>12</sup> Meneocheris M; Meneocris S

<sup>13</sup> Cedrus S

<sup>14</sup> quod PE

<sup>15</sup> simus PE

<sup>16</sup> ideo S

<sup>17</sup> Athenis S

<sup>18</sup> mondanum S

<sup>19</sup> ejus S

<sup>20</sup> quod S

<sup>21</sup> proficeret S

## 2. Obligations towards the Empire<sup>1</sup>

[2] Assembled to provide for the good of the Empire, the Worshipful Lord Electors considered you as the one man in the whole world who can restore it, and they have elected you unanimously. So, think carefully on what to do, for you were born not to Austria, but to the whole Commonwealth<sup>2</sup> which is greater than Austria and therefore requires more of us. Certainly we have an obligation towards the place where we are born and which we call our Fatherland, and many famous men did not hesitate to die for it, like Meneheus<sup>3</sup> in Thebes, Codrus<sup>4</sup> in Athens, Curtius<sup>5</sup> in Rome, and many others whom I shall not mention here. But, certainly, we have an even greater obligation towards the world than towards one particular city. Therefore Socrates<sup>6</sup> did not consider himself as a citizen of Athens or any other city, but as a citizen of the world,<sup>7</sup> and he knew that he had to spend all his thought and energy on the common good of all, and he preferred no single region to the whole world.<sup>8</sup> [cont.]

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<sup>1</sup> In this section, Piccolomini reuses some ideas concerning internationalism vs. local patriotism from his *Oration "Audivi"* [1], sect. 12, delivered a year and a half before, to the council fathers of Basel (November 1436), here substituting the empire for the council

<sup>2</sup> "reipublicae"

<sup>3</sup> Not identified

<sup>4</sup> Codrus: Last of the semi-mythical Kings of Athens

<sup>5</sup> Marcus Curtius: (Roman myth.) Sacrificed himself to the gods of Hades

<sup>6</sup> Socrates (c. 469-399 BC): Greek philosopher

<sup>7</sup> "mundanus": Socrates as quoted by Plutarch: *On Exile*, in *Moralia: the saying of Socrates is still better, that he was no Athenian or a Greek, but a "cosmian" (as one might say Rhodian or Corinthian), because he did not shun himself up with Sunium or Taenarus and the Ceraunian mountains*. Cicero refers to this saying in *Tusculanae Disputationes*, 5.37.108, where Piccolomini probably picked it up. Cf. also Burlaeus, *Socrates*

<sup>8</sup> Also the idea of avoiding local patriotism was used in the "Audivi" [1]: *So, Fathers, let us put aside the names of nations, let everyone free himself of local patriotism, and let us discuss instead what may serve this council and the Christian faith* (Sect. 13)

[2 cont.] Quod si pro patria et pro salute civium<sup>1</sup> vitam tenemur exponere, tanto<sup>2</sup> magis pro imperio et salute omnium. Tantique est salus cunctorum, ut ipsum Dei filium ex caelesti regno ad mortem traxerit. Pro hac<sup>3</sup> et apostoli et ceteri martyres<sup>4</sup> excarnificati obierunt<sup>5</sup>. Hoc<sup>6</sup> autem ideo dico<sup>7</sup>, ut intelligas, quantum imperio quisque teneatur, quod non solum unam civitatem aut provinciam, sed totum complectitur orbem, ac<sup>8</sup> errare illum minime dubitem<sup>9</sup>, qui non solum fortunas suas, sed<sup>10</sup> vitam pro imperio non<sup>11</sup> exponit.

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<sup>1</sup> omnium S

<sup>2</sup> quanto S, PE

<sup>3</sup> pro hac : probant S

<sup>4</sup> qui *add.* S

<sup>5</sup> obiverunt S

<sup>6</sup> haec PE

<sup>7</sup> *omit.* S

<sup>8</sup> ut S, PE

<sup>9</sup> dubitet S

<sup>10</sup> et *add.* PE

<sup>11</sup> *omit.* M

[2 cont.] So, if we are obliged to risk our life for our country and for the good of its citizens, how much more are we not obliged to risk it for the Empire and for the good of all?<sup>1</sup> So important is the salvation of all that it even drew the Son of God from the Kingdom of Heaven to his death. The apostles and the other martyrs died, under torture, for Salvation. This I say so that you may understand how much each of us is bound to the Empire, comprising not only one city or region, but the whole world. I am sure that those who are not willing to give their property or even their life for the Empire are in error.

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<sup>1</sup> Piccolomini also used this concept in the oration *"Audiui"* [1], applying it to the Council rather than to the Empire: *If you have an obligation to give your life for your country, you have an even greater obligation to give it for the Council* (sect. 4)

[3] Eapropter, si es ad imperium accersitus<sup>1</sup>, debes quidem omni re postposita ad ejus gubernationem te accingere. Neque retrahere te<sup>2</sup> Austria debet, aut Hungaria, aut Bohemia, non denique ipsa<sup>3</sup> corporis<sup>4</sup> et vitæ tuæ conservatio. His namque omnibus publica imperii cura est anteponenda, peccatque non mediocriter, qui ista pervertit. Efflagitat te imperium teque non solum poscit, sed obsecrat. {101v} Vides etiam, quam multipliciter sit laceratum<sup>5</sup> quanta indigeat reparatione.<sup>6</sup> At dicis forsitan<sup>7</sup>: "Sunt<sup>8</sup> alii, qui me utilius illud<sup>9</sup> regant." Id quidem non admitto, nam nemo<sup>10</sup> inter Christianos est, qui plus quam<sup>11</sup> te<sup>12</sup> agri possideat, qui potentior sit, qui magis diligatur, qui prudentius regat<sup>13</sup>. Quod<sup>14</sup> si alteri quam tibi committatur imperium, actum profecto de ipso judicaverim teque tanti mali causam<sup>15</sup>, qui, cum posses<sup>16</sup> sublevare, nolueris. Quod malum taceo, quam grande sit, quoniam deficiente imperio omnia incendio aestuarent<sup>17</sup> membris invicem sine capite disceptantibus.

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<sup>1</sup> arcesitus S

<sup>2</sup> aut *add.* S

<sup>3</sup> propria S

<sup>4</sup> tui *add.* S

<sup>5</sup> et *add.* PE

<sup>6</sup> ista pervertit ... reparatione : sic laceratum cernit quantaque indigeat reparatione considerans erigere refugit imperium S

<sup>7</sup> dicis forsitan : forsan diceres S

<sup>8</sup> et *add.* S

<sup>9</sup> me utilius illud : illud me utilius S

<sup>10</sup> neque M, S

<sup>11</sup> plus quam : quam plus M

<sup>12</sup> tu M, PE

<sup>13</sup> agat PE

<sup>14</sup> quid S

<sup>15</sup> actum profecto ... causam : nichil est profecto quod de ipso, sed te tanti causam fuisse judicaverim S

<sup>16</sup> possis S

<sup>17</sup> extuarent M; (conflagrarent) PE

### **3. Albrecht's eminent qualifications**

[3] Therefore, if you are called to the Empire, you should put everything else aside and prepare yourself for governing it. Neither Austria, Hungary, nor Bohemia, nor even the preservation of your own body and life should hinder you. For the public charge of the Empire is more important than all these, and whoever lets them be a hindrance commits a great sin. The Empire asks, nay begs you: you see how it is being scourged on all sides and how greatly it needs to be restored. Maybe you will say: "There are others who could govern the Empire better than me." I do not agree, for nobody among the Christians has more territory than you, is more powerful, is loved more, and rules more wisely. If the Empire is entrusted to another than you, I believe that it will be the end of it, and that you will be the cause of a great disaster since you could help it and did not want to. I cannot tell how disastrous this will be: if the Empire fails, there will be a general conflagration as its members, without a head, come into open conflict.

[4] His rationibus satis<sup>1</sup> liquet<sup>2</sup> regnum Hungariae nullo te pacto ab imperio posse<sup>3</sup> retrahere, qui<sup>4</sup> plus capiti quam membro ulli tenearis. Sed cur<sup>5</sup> Hungari te impediunt<sup>6</sup>? An non etiam eorum regno expediat {135v} te esse imperatorem? Vide quod<sup>7</sup> saluti propriae resistunt. Et consulendum est etiam nolentibus, quando, quod bonum est, nesciunt<sup>8</sup>. Habet illud regnum et cum Venetis et<sup>9</sup> cum Teucris litem. Magnus uterque hostis est, neque potens est Hungaria his resistere, sed adjuvante<sup>10</sup> imperio<sup>11</sup> optime se defendet. Multi enim<sup>12</sup> regi<sup>13</sup> adversabuntur, qui<sup>14</sup> non inimicabuntur imperatori<sup>15</sup>. Quid est enim, quod Veneti doluerunt Hungariae regem imperatorem factum? Certe ex hoc licet arguere, quod, cum Veneti doleant<sup>16</sup>, Hungari debeant gaudere<sup>17</sup>: et quod illis est damno, his<sup>18</sup> utilitati esse debet. Siquidem, ut jurisconsulti volunt, *contrariorum eadem est disciplina*. Nec dubitet aliquis alia nunc Venetos imperatori oblaturus<sup>19</sup> quam antea. Unde et facilius tueri regnum imperator quam rex poterit et ampliare audacius.

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<sup>1</sup> sat S

<sup>2</sup> liquebat M, S

<sup>3</sup> ab imperio posse : posse ab imperio S

<sup>4</sup> quod S, PE

<sup>5</sup> sedne S

<sup>6</sup> impediunt S

<sup>7</sup> quia PE

<sup>8</sup> et consulendum ... nesciunt *omit.* S

<sup>9</sup> *omit.* S

<sup>10</sup> iuvante S

<sup>11</sup> imperatore PE

<sup>12</sup> etiam PE

<sup>13</sup> *omit.* S

<sup>14</sup> tamen *add.* S

<sup>15</sup> non inimicabuntur imperatori : imperatori non inimicabuntur S

<sup>16</sup> dolent M

<sup>17</sup> debeant gaudere : debent gaudere M; gaudere debeant S

<sup>18</sup> illis M

<sup>19</sup> alia nunc ... oblaturus: nunc Venetos imperatori minus oblatratos S

## 4. Advantages to the Hungarians

[4] For these reasons, it is quite evident that the Kingdom of Hungary may in no way hinder your assumption of the Empire, for the head should concern you more than any one member. But why should the Hungarians hinder you? Is it not an advantage to their Kingdom if you are also the emperor? Consider that they would be obstructing their own good, and that one should help even those who do not want to be helped if they do not know their own good. The Kingdom of Hungary is in conflict with both the Venetians and the Teucrians.<sup>1</sup> Each of these enemies is great, and Hungary does not have the force to resist them, but with the aid of the Empire it could defend itself very well: many who are adversaries of the king will not wish to be enemies of the emperor. Why have the Venetians taken it so badly that the King of Hungary has been elected emperor? It may confidently be argued that if the Venetians are upset, the Hungarians should rejoice, and that what is bad for the Venetians is good for the Hungarians.<sup>2</sup> Indeed, as lawyers<sup>3</sup> claim: *Opposites are two sides of the same issue*.<sup>4</sup> The Venetians will undoubtedly change their behavior towards you as emperor. It follows that an emperor can defend the Hungarian Kingdom better than a king – and even extend it more boldly!

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<sup>1</sup> Note that in 1436 Piccolomini still uses the term "Teucrians" for the Turks, cf. his Oration "Audivi" [1], sect. 20-21

<sup>2</sup> The reference to the Venetians is carefully calculated. The Venetians were the mortal enemies of Milan, and the Duke of Milan intended to seek Albrecht's support against them by presenting them as a common enemy (Paulhart, p. 290)

<sup>3</sup> Or the Schoolmen (scholastics)

<sup>4</sup> A tenet of Aristotelian philosophy, as transmitted through medieval scholasticism

[5] Idem quoque de Teucris existimandum<sup>1</sup> est. Quis enim non velit hostem suum esse debiliorem? Et quis nesciat regem cum imperio fieri fortiorem, quando et imperium regno et regnum imperio sustentatur<sup>2</sup>: plus quoque<sup>3</sup> hoc nomen imperii, ubicumque sit imperator, regno proderit, quam si rex<sup>4</sup> in Hungaria praesens maneat<sup>5</sup>. Quamquam<sup>6</sup> imperatorem<sup>7</sup> quis prohibebit personaliter in Hungaria commorari, cum et illa non sit inepta<sup>8</sup> imperio sedes<sup>9</sup>? Quod si nollent Hungari propter absentiam te fieri imperatorem, sic nec Bohemorum suscipere regnum oportebat, quoniam et propter regnum Bohemiae<sup>10</sup> saepe te necesse abire<sup>11</sup> erit. At sicut Hungariam<sup>12</sup> Bohemiae vires juvare possent<sup>13</sup>, sic regnum utrumque vires imperii. Et facta duorum regnorum cum imperio conjunctione<sup>14</sup>, incredibile est, quantum robur connectatur, ut manifestum sit, quod propter imperium nemo audeat haec duo regna invadere, et propter ipsa<sup>15</sup> regna nemo audeat imperium devastare<sup>16</sup>.

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<sup>1</sup> extimandum S

<sup>2</sup> sustentabitur S

<sup>3</sup> quam M, S

<sup>4</sup> si rex : rex si M, S

<sup>5</sup> maneret S

<sup>6</sup> et *add.* S

<sup>7</sup> imperatori PE

<sup>8</sup> septa PE

<sup>9</sup> *omit.* S

<sup>10</sup> ex Hungaria *add.* S

<sup>11</sup> te necesse abire : abire necessarium S

<sup>12</sup> Hungaria S

<sup>13</sup> potest S; possunt PE

<sup>14</sup> conjuncto S

<sup>15</sup> duo *add.* S

<sup>16</sup> imperium devastare : devastare imperium S, PE

## **5. Advantages in relation to the Turks**

[5] The same applies to the Teucrians. Who does not want his enemy to be weakened? And who does not know that a king becomes stronger if he also has the Empire? For the Empire supports the Kingdom, and the Kingdom the Empire. Regardless where the emperor resides, imperial status will benefit the Kingdom more than a [mere] king who stays all the time in Hungary. Actually, nobody would forbid the emperor to stay in Hungary which would be a quite suitable seat of the Empire. But if the Hungarians do not want you to become emperor because of your absences, then you should not accept the crown of Bohemia either, for you would often have to leave Hungary for affairs in Bohemia. But just like the strength of Bohemia can help Hungary, the strength of the Empire can help each kingdom. If the two kingdoms are joined with the Empire, their united force will be incredible. Clearly, because of the Empire nobody would dare to attack the two kingdoms, and because of the two kingdoms nobody would dare to attack the Empire.

[6] Videsne, quanta utilitas ex hoc resultat? Quid hic dicas<sup>1</sup>? Cur non<sup>2</sup> tam Hungari quam omnes alii<sup>3</sup> suscipere imperium<sup>4</sup> suadent etc.<sup>5</sup> At tuos nepotes audi, necessarios tuos<sup>6</sup> ausculta. Hos tu<sup>7</sup> imperio magnos {102r} facere et sublimare potes. Quot ducatus, quot comitatus marchionatusque ad imperium devolventur? His ditare tuos poteris Australemque domum perpetuis ampliare honoribus. Quid si tibi virilis nascatur soboles, numquid<sup>8</sup> plura cum imperio his relinquantur<sup>9</sup>? Det tibi maximus atque<sup>10</sup> optimus Deus ex consorte tua praestantissima filium; det, sicut spero<sup>11 12</sup> alios liberos. An ipsi adulti justam querimoniam<sup>13</sup> habeant, quod imperare nolueris regnumque hoc Romanorum quasi<sup>14</sup> haereditarium in familia tua collocare<sup>15</sup>? Licet enim electione detur, nil tamen prohibet in una domo Caesari succedere Caesarem, et post patrem eligi<sup>16</sup> filium. Nec dubita plurimum tibi ad hanc dignitatem soceri tui<sup>17</sup> nomen valuisse, cui cum duplici regno successeris, ne fugias imperio quoque substitui.

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<sup>1</sup> dices S, PE

<sup>2</sup> hic *add.* S

<sup>3</sup> omnes alii : alii omnes S, PE

<sup>4</sup> suscipere imperium : imperium suscipere S, PE

<sup>5</sup> *omit.* S; ... *add.* [*sic!*] PE

<sup>6</sup> necessarios tuos : necessariisque tuis PE

<sup>7</sup> cum S

<sup>8</sup> numquam S

<sup>9</sup> reliques S; relinques PE

<sup>10</sup> et S

<sup>11</sup> speras PE

<sup>12</sup> et *add.* S, PE

<sup>13</sup> non *add.* PE

<sup>14</sup> hoc Romanorum quasi : Romanorum quasi hoc S

<sup>15</sup> colorare S

<sup>16</sup> ellegi S

<sup>17</sup> *omit.* M, S

## 8. Advantages to Albrecht's family

[6] Do you not see how great is the advantage accruing from this? What will you say now? Why do not just the Hungarians, but everybody else urge you to accept the Empire? Listen to your own descendants, heed your relatives. Then you can make great and raise up through the Empire. Many duchies, counties, and margravates will revert to the Empire which you may use to increase the riches and honours of your family and the House of Austria. What if you have sons: do you not want to leave them more, with the Empire? May the Great and Good God<sup>1</sup> grant you a son from your noble spouse<sup>2</sup>; and may he give you other children, too, as I hope. When they grow up, will they not have just cause for complaint if you now refuse to rule and to make the Kingdom of the Romans almost hereditary in your lineage? Though it is bestowed through election, nothing forbids that an emperor succeed an emperor of the same House and that a son be elected after a father.<sup>3</sup> Do not doubt that the name of your own father-in-law<sup>4</sup> was very important for you as regards this office, and that since you succeeded to his double kingdom,<sup>5</sup> you should not refuse to succeed him in the Empire.

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<sup>1</sup> Piccolomini here applies the epithets of the pagan Roman chief God, Jupiter Optimus Maximus, to the Christian God

<sup>2</sup> Elizabeth of Luxembourg (1409-1442): Daughter of Emperor Sigismund. Married to (elected) Holy Roman Emperor, Albert II. They had two daughters. When Albert died in 1439, Elizabeth was pregnant with a boy, the future Archduke of Austria and King of Hungary and Bohemia, Ladislaus

<sup>3</sup> This is exactly what happened: the Holy Roman Emperors after Albrecht were from the House of Habsburg

<sup>4</sup> Sigismund of Luxemburg (1368-1437): King of Hungary and Croatia from 1387, King of Bohemia from 1419, and crowned Holy Roman Emperor in 1433

<sup>5</sup> Hungary and Bohemia

[7] Unum quoque<sup>1</sup>, oro: considera et apertis attende auribus. Magna est fortuna tua, quae tam parvo tempore ex duce te regem<sup>2</sup> fecit regnumque regno adjecit. Nunc quoque imperium tibi offert, quod etsi tuae exigant virtutes, vide tamen, ne fortunam contempnas. Indignabunda est, honorari vult. Quod si quis eam semel expulerit, numquam<sup>3</sup> ab ea visitatur. Si benigne recipitur, illuc<sup>4</sup> larga manu beneficia confert. Suscipe, quod tibi non a fortuna solum, sed ab ipso Deo et ab hominibus offertur. Quod si repudies<sup>5</sup>, ad ignaviam tibi atque pusillanimitatem ascribetur: “Laborem<sup>6</sup>,” inquierent<sup>7</sup>, “hic homo declinat<sup>8</sup>, quem pro republica libentissime debuit suscepisse.” Quamquam nec<sup>9</sup> labor est alta tractare negotia, habet enim<sup>10</sup> nescio quid lenimenti<sup>11</sup> ipsa rerum actio magnarum. Quod nisi esset, numquam maximorum duces exercituum tot sufferre labores<sup>12</sup> quaerent<sup>13</sup>. Est namque per se pulchrum atque suave sentire ac<sup>14</sup> disponere omnia, eaque cogitatio<sup>15</sup> corpus reddit<sup>16</sup> sanius et habilis. Quid igitur hic respondeas, aut<sup>17</sup> quale iudicium de te<sup>18</sup> feras, imperium fugiens? Hoc est<sup>19</sup>, quod Veneti<sup>20</sup> et<sup>21</sup> rex Poloniae cuperent, quod pusillaninem hostem et debiliorem dicerent se habere

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<sup>1</sup> unum quoque : unumque S

<sup>2</sup> te regem : te regem PE

<sup>3</sup> amplius *add.* S

<sup>4</sup> illac PE

<sup>5</sup> repudias S

<sup>6</sup> non quaerit *add.* PE

<sup>7</sup> dicent PE

<sup>8</sup> declinet S

<sup>9</sup> enim PE

<sup>10</sup> tamen PE

<sup>11</sup> benemeriti S

<sup>12</sup> sufferre labores : labores sufferre PE

<sup>13</sup> quierent M, S

<sup>14</sup> atque S

<sup>15</sup> agitatio S

<sup>16</sup> reddat M

<sup>17</sup> ut S

<sup>18</sup> iudicium de te : de te iudicium S

<sup>19</sup> *omit.* M, PE

<sup>20</sup> quodque Teucris *add.* S

<sup>21</sup> ipse *add.* S, PE

## 7. Advantages to Albrecht himself

[7] And this one thing I ask you to hear with open ears.<sup>1</sup> Great is your luck which in a very short time has made you king from duke and then added one kingdom to the other. Now Fortune offers you the Empire, too. Of course, your own qualities merit it fully, but, still, do not scorn Lady Fortune for she is easily angered and wants to be honoured. If you reject her once, she will never come back. But if you receive her gladly, she will pour benefits over you with generous hands. So, accept what not only your good Fortune, but God himself and men offer to you. If you refuse it, people will think that it is because of cowardice and pusillanimity. They will say that here is a man who does not want to do anything that takes an effort and who refuses what he should gladly accept for the sake of the common good. However, it is not really a burden to deal with high matters, for the management of great things actually gives some kind of pleasure. If it was not so, generals of great armies would never take on such charges. Beautiful and sweet it is to deal with and manage great affairs,<sup>2</sup> and being occupied with them makes the body healthy and fit.

So, what do you say now, and how will you judge yourself if you refuse the Empire? That is what the Venetians and also the King of Poland would want you to do, believing that thus they would have a timid and weak enemy.

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<sup>1</sup> The terms for hearing and listening in the text indicate that it was written as an oration

<sup>2</sup> "omnia"

[8] Sunt tamen alia longe graviora, et quibus nulla ratione valeas respondere. Etenim si qua<sup>1</sup> te religionis cura remordet, si conscientiae<sup>2</sup> tangeris<sup>3</sup> stimulo, imperium ut<sup>4</sup> accipias oportet. Videsne quantum schismatis periculum imminet? Videsne laceratam ecclesiam, concilium cum papa et papam cum concilio dissentire? Quis<sup>5</sup> his<sup>6</sup> provideat, nisi tu imperes? Rex profecto {102v} non tantum posses<sup>7</sup>. Sperabit papa alium sibi propitium, si tu repudies<sup>8</sup>, idemque concilium, eritque undique<sup>9</sup> major disceptatio. Nunc expectatio est utrimque<sup>10</sup>, quid agas. Et certe, si volueris, unionem efficies, quae non tibi minorem<sup>11</sup> gloriam paritura est<sup>12</sup> quam socero tuo<sup>13</sup> Constantia praestiterit<sup>14</sup>. At si omnino imperare repudies<sup>15</sup>, nihil<sup>16</sup> dubito<sup>17</sup> durissimum schisma futurum. Cui rei nisi cupis<sup>18</sup> occurrere, haud leviter peccas. Causa divisionis ecclesiae reputaberis, qui, cum possis<sup>19</sup> unire<sup>20</sup> illam, praetermiseris<sup>21</sup>.

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<sup>1</sup> quae PE

<sup>2</sup> si conscientiae *omit.* S

<sup>3</sup> teneris S

<sup>4</sup> et S

<sup>5</sup> quid S

<sup>6</sup> hic S

<sup>7</sup> possis S

<sup>8</sup> repudias S

<sup>9</sup> igitur S

<sup>10</sup> est utrimque : utrimque est PE

<sup>11</sup> tibi minorem : minorem tibi S

<sup>12</sup> erit PE

<sup>13</sup> *omit.* S

<sup>14</sup> praestitit PE

<sup>15</sup> repudias S

<sup>16</sup> nil S

<sup>17</sup> dubio M, S

<sup>18</sup> cupieris *aut* cupietis M

<sup>19</sup> posses PE

<sup>20</sup> *omit.* S

<sup>21</sup> praetermissis S

## 8. Advantages to the Church

[8] However, there are far more important issues about which you would have no answer. For if you care about religion and feel any pangs of conscience, you must accept the Empire. Do you not see how great is the danger of a schism? Do you not see how the Church is being torn apart, the Council disagreeing with the pope and the pope with the Council? Who may deal with this if you do not rule the Empire? Indeed, as a mere king you would not be able to achieve nearly as much in this matter. If you refuse the Empire, the pope will hope for another emperor more favourable to him, and the Council will do the same. Everywhere there will be great conflicts. Now, both sides are waiting to see what you will do. And, certainly, if you want to, you may reunite the Church, something that would bring you as much glory as it did to your father-in-law in Konstanz.<sup>1</sup> But if you refuse to govern the Empire, I do not doubt that the schism will be of the utmost severity. If that is what you want, you commit a grievous sin, and you will be considered as the cause of the division in the Church since you did not want to unite Her when you could.

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<sup>1</sup> Under the leadership of Emperor Sigismund, the Council of Constance ended the Great Western Schism, with three popes reigning at the same time

[9] Timeo et aliud, ne imperium quoque<sup>1</sup> renuntiatio tua dividat. Nam etsi in te concordēs<sup>2</sup> electores fuerunt<sup>3</sup>, non ita in alio erunt: quoniam neque alium quempiam ad imperium tot rationes<sup>4</sup> incitant<sup>5</sup>, vereorque, ne<sup>6</sup> in discordia fiat electio, ut duo sese asseverare audeant imperatores. Cui ut occurras malo, suscipe oblatum benignus imperium.

[10] Quod si feceris, pacem ecclesiae dabis, collapsum reparabis imperium, regna tua conservabis melius, Australi vero domui ac familiae tuae divitias et honores et tibi<sup>7</sup> perpetuam et gloriosissimam<sup>8</sup> acquires<sup>9</sup> famam<sup>10</sup>, quae<sup>11</sup> nec in humanis est<sup>12</sup> <sup>13</sup> quidquam praeclarius, nec aliud ad sepulchrum justius<sup>14</sup> sequitur. Haec volui tuae majestati dixisse: cui licet ex officio non teneor, ex caritate tamen consulere obligor, quamquam neque hoc consilium est, sed recordatio quaedam notissimarum rerum<sup>15</sup>. Optime namque et ista discernit majestas tua<sup>16</sup>, cui det bonorum omnium largitor Deus amplecti<sup>17</sup>, quod in rem fuerit populi Christiani et ipsius aeterni Dei laudem. Vale per omnia, rex dignissime, et me servitore tuo utere pro arbitrio, qui singulos suscipere pro te<sup>18</sup> labores atque curas minime dubitabo.

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<sup>1</sup> imperium quoque : imperiumque S

<sup>2</sup> in te concordēs : concordēs in te S

<sup>3</sup> fuerint PE

<sup>4</sup> ad imperium tot rationes : tot rationes ad imperium S, PE

<sup>5</sup> decitant M; vocitant S

<sup>6</sup> ut S

<sup>7</sup> et tibi : tibi que S

<sup>8</sup> perpetuam et gloriosissimam : gloriosissimam et perpetuam S

<sup>9</sup> acquiris M

<sup>10</sup> acquires famam : famam acquires S

<sup>11</sup> qua PE

<sup>12</sup> omit. M

<sup>13</sup> in humanis est : est in humanis S

<sup>14</sup> jus M, S

<sup>15</sup> rex add. S

<sup>16</sup> majestas tua : tua majestas S

<sup>17</sup> omit. S

<sup>18</sup> suscipere pro te : pro te suscipere S, PE

## **9. Advantages to the Empire**

[9] And I fear that the Empire, too, will be divided if you refuse. For though the electors have agreed on you, they may not be able to agree on another: indeed, few reasons point to anybody else as candidate to the Empire. I fear a disputed election and that there will be two persons daring to call themselves Emperor. Please prevent this evil, and benignly accept the Empire offered to you.

## **10. Conclusion**

[10] In doing so you will bring peace to the Church, you will restore the collapsed Empire, you will be able better to preserve your kingdoms, you will obtain riches and honours for the House of Austria and for your lineage, and you yourself will acquire everlasting and glorious fame: nothing is more important for men, and nothing follows us to the grave more justly.

This is what I wanted to say to Your Majesty. Though I am not bound to speak by office, charity bids me to give advice, not as some kind of formal counsel, but simply as a reminder of facts well-known to Your Majesty. May God, the Giver of all Good Things, grant that you accept what would be to the advantage of the Christian people and to the praise of Eternal God.

Live well in all things, most worthy King, and freely use me as your servant, if you wish: I shall not hesitate to undertake both labours and cares for your sake.

[11] Ex oppido Viennae XXVII. Aprilis mane summo, currente anno domini MCCCmo XXXVIII<sup>1</sup>, et<sup>2</sup> dominica secunda post festum resurrectionis.

Subscriptio<sup>3</sup>: Ejusdem majestatis tuae serenissimae devotissimus servitor Bartholomaeus de Vicecomitibus, Novariensis episcopus ac illustrissimi<sup>4</sup> principis domini ducis Mediolanensis<sup>5</sup> ad excellentiam tuam<sup>6</sup> orator, sed<sup>7</sup> minimus, cum recommendatione humillima.

Superscriptio<sup>8</sup>: Serenissimo principi et domino gloriosissimo, domino Alberto Romanorum regi dignissime electo, Hungariae Dalmatiae<sup>9</sup> etc. coronato, Bohemiae vero regi electo, Austriae quoque duci et domino<sup>10</sup> meo colendissimo<sup>11</sup>.

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<sup>1</sup> Mo CCCC XXXVIIIo M; MCCCCXXXVIII. PE

<sup>2</sup> *omit.* S, PE

<sup>3</sup> *omit.* PE

<sup>4</sup> illustris PE

<sup>5</sup> Mediolani S

<sup>6</sup> *omit.* S

<sup>7</sup> licet PE

<sup>8</sup> a tergo S

<sup>9</sup> Croatiae *add.* S

<sup>10</sup> hero S

<sup>11</sup> Superscriptio ... colendissimo *omit.* PE

[11] From the City of Vienna, in the early morning of 27 April, in the year of Our Lord 1438, on the second Sunday after the Feast of the Resurrection.

Subscription: Bartolomeo Visconti, Bishop of Novara, devoted servant of your Most Serene Majesty, and orator of the Illustrious Prince, the Lord Duke of Milan, though myself insignificant, to Your Excellency, with humble recommendations.

Superscription: To the Most Serene Prince and Lord, the Glorious Lord Albrecht, worthily elected King of the Romans, crowned King of Hungary, Dalmatia etc., elected King of Bohemia, Duke of Austria, my Most Worshipful Lord

**(Orations of Pope Pius II; 4)**

**Oration “*Si ea quae justa*” of Enea Silvio Piccolomini (1438, Basel). Edited and translated by Michael von Cotta-Schönberg**

**Preliminary edition, 5<sup>th</sup> version**

**2019**

## **Abstract**

In 1438, the Council of Basel undertook to confer ecclesiastical offices and benefices instead of the pope whom it had deposed. It therefore became necessary to establish proper procedures, especially for the appointment of bishops. The Council's Committee of Twelve, of which Enea Silvio Piccolomini was a frequent member, drafted a decree requiring commissioners to hear testimonies about candidates for episcopal office and to report back to Council under oath. As the recommendation met with resistance among the council fathers, Piccolomini undertook to defend the motion in an oration to a General Congregation. He was not successful and the proposed decree was not passed.

## **Keywords**

Enea Silvio Piccolomini; Aeneas Silvius Piccolomini; Aeneas Sylvius Piccolomini; Pope Pius II; Council of Basel; Council of Basle; Appointment of bishops; Provision of ecclesiastical benefices; Pope Eugene IV; Pope Eugenius IV; Renaissance orations; Renaissance oratory; Renaissance rhetorics; Papa Pio II; Papa Eugenio IV

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# I. INTRODUCTION

## 1. Context<sup>1</sup>

The year 1438 was a momentous one in the history of the Church – and particularly in the century-long conflict between Papalism and Conciliarism. The beginning of the year saw the complete breakdown of relations between Pope Eugenius IV and the Council of Basel from which there would be no return. The inalcitrance of the council on a number of vital issues led the pope to finally transfer it to Ferrara, where it opened on 8 January 1438. The majority of the council fathers remaining in Basel, however, rejected this transfer (and practical dissolution) of the Council. Later in the same month they defiantly suspended the pope, and in 1439 they deposed him. In those fateful days, it could not be known that it was the pope and the Papacy which would eventually emerge as victors from this conflict.

Following the pope's dissolution (transfer) of the council, the papal party including its president, Cardinal Guiliano Cesarini, left it and returned to the Papal Court. The cardinal offered horses and money to all who would leave with him, and Piccolomini must have been sorely tempted since by then he had lost his youthfully naive beliefs in the fairness, justice, and wisdom of the council fathers and had indeed written a scathing report on its dealings concerning the venue for the Reunion Council with the Greeks the year before.<sup>2</sup> But Piccolomini was not yet ready to give up the conciliarist teachings he had worked for so hard. Moreover, his relations with the Papal Court were strained, whereas his position at the Council was quite strong. So he stayed in Basel, unwittingly laying the ground for a later diplomatic career at the Imperial Court and another, splendid, ecclesiastical career leading directly to the papal throne.

So, from the beginning of 1438 the Council was no longer recognized by the pope, and one by one the princes, too, withdrew their recognition. Thus, the Council became a "rump council", continuing its debates and issuing decrees, and finally electing a counter-pope. As European support for the Council dwindled, it rapidly lost its authority, but continued to function until 1449 when after the death of Eugenius IV and the accession of Nicolaus V it dissolved itself, and the anti-pope abdicated.

Matters were not helped by the death of Emperor Sigismund on 9 December 1437. The absence, during those critical months, of the only secular authority capable of imposing some kind of compromise between the warring church leaders was keenly felt: Piccolomini himself had referred to it in his oration "*Quid est*" [3] to Albrecht II which he wrote for the Milanese envoy in April 1438, attending the negotiations in Vienna concerning the imperial election. After the suspension of the pope – and possibly even earlier - the Council quite logically took over the functions of the pope, including the very important function of providing ecclesiastical benefices and offices. However, certain appointments like that of a bishop of Alessandria appears to have been made under unfortunate circumstances, pointing to the need for establishing more rigorous procedures for

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<sup>1</sup> See Haller. On the Council in Basel in general and its organization, see Helmrath and Companion. On its conflict with Pope Eugenius IV, see Stieber

<sup>2</sup> Letter to Pietro da Noceto of 21 May 1437. In: *Epistolarium*, ep. 24, pp. 61-74

appointing bishops.<sup>1</sup> It was in this context that the Council's coordinating body, The Committee of Twelve, made a formal recommendation concerning the examination of the episcopal candidates' qualities and qualifications. Piccolomini personally, as a member of The Twelve, drafted the text, and as it met with some opposition among the council fathers, he undertook to defend it in a General Congregation, in the oration "*Si ea quae justa*".

Piccolomini's purpose with the oration was not fulfilled since the council fathers did not, in the General Congregation or later, approve the recommendation of The Twelve defended by him.

It is difficult to know how deeply Piccolomini was engaged in this matter. Haller believed that the humanist pathos employed in the speech rings hollow and that the speaker was not truly concerned about the issue.<sup>2</sup> There is, however, no evidence at all to prove that Piccolomini did not have strong personal convictions concerning this issue, and Haller's claim that Piccolomini never swam against the stream<sup>3</sup> is patently unfair and untrue. One just has to think of the crusading project that he pursued for years, against the opposition of the European princes, the Italian powers, and a majority of the cardinals and the Curia, and his - sometimes quite independent - stance in a number of imperial affairs. In the oration itself, Piccolomini actually directly confronted quite an important dignitary, i.e. the envoy of that mighty prince, the King of Aragon, and he directly criticised a group of council fathers, a group strong enough to effectively resist the motion presented by The Twelve.

The oration was not commented upon by Piccolomini in his other works and letters, nor in his autobiographical *Commentarii*. Neither has it been discussed by his biographers nor been studied in modern research monographs.

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<sup>1</sup> Sudmann, p. 110: *Immerhin hat die vielleicht doch etwas vorschnelle Reaktion des Basler Konzils auf die Mailänder Anfrage dazu geführt, dass Enea Silvio Piccolomini – zu dieser Zeit noch in Basel – nach diesem Fall die Forderung erhoben hat, vor Bischofsernennungen durch das Konzil immer erst vereidigte Zeugen zu hören.* See also p. 386-387. Since the Council made its appointments to the See of Alexandria in Summer 1438, the initiative of the Twelve and Piccolomini's oration must have been delivered in Autumn or Winter 1438

<sup>2</sup> Haller, p. 85

<sup>3</sup> Haller, p. 73

## 2. Themes

The main theme of the speech is the necessity for careful scrutiny of candidates for episcopal office.

The text of the motion authored by Piccolomini was:

*As the Lord Pope, Eugenius, has been suspended for just reasons, not only the bestowal of benefices, but also the provision of cathedral churches and other churches that would have been made by him have devolved upon this Holy Council. It is therefore necessary to avoid that what the pope was criticized for should be found in the Council. Thus, only suitable persons should be given provision,<sup>1</sup> and they should excel not only in learning, but also in merits of life, and in integrity so that they can profit the people entrusted to them both by words and by example. This should be observed in the provision of all offices, but especially in the appointment of bishops since these must be above reproach and have other qualities required by the Apostle. Therefore the prelates, who are now or will later be entrusted with episcopal nominations, should be invited to focus on this issue and diligently examine the reputation of the candidates so that they do not disregard their obligation to examine a number of witnesses concerning the merits of the respective candidates. And this obligation is laid upon the commissioners that, having made their report, they should send their votum, publicly and according to their oath to God and according to their own conscience, to the General Congregation so that others may be able to discuss the matter in the deputations, justly and freely under God. [Sect. 4]*

The main points of the recommendation was that the commissioners entrusted with each case of an episcopal appointment should

- hear credible witnesses on the character and aptitude of the candidates for episcopal preferment, and
- take an oath that the preferred candidate had, to the best of their knowledge, the required qualities.

When The Twelve had approved the text it was, as stipulated by the procedural rules of the council, sent to the four deputations for approval before it could be debated in a General Congregation. According to those same rules, it had to be approved by at least three of the four deputations<sup>2</sup> of the Council before it could be passed on to the General Congregation. Three of the deputations approved it without any objection, among them the Deputation on Faith, to which Piccolomini himself belonged. However, in one of the deputations, the Deputation on Peace, it met with opposition and was not put to the vote. Had it been put to a vote and been defeated, it could still have been submitted to the General Congregation since it had obtained the necessary approvals by

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<sup>1</sup> “Canonical provision” is a term signifying regular induction into a benefice (Catholic Encyclopedia)

<sup>2</sup> The four deputations were the deputation on peace, on reform, on faith, and on general matters

the three other deputations. But as it was not put to the vote, the procedure of hearing the deputations could not be considered completed, and therefore the whole matter was left in abeyance and could not be brought before the General Congregation. Whether refraining from putting the issue to the vote in the Deputation on Peace was actually a procedural ploy to obstruct the procedure, is not known. At any rate, after a month, The Twelve, or at least Piccolomini, lost patience and raised the matter in the General Congregation notwithstanding the fact that the fourth deputation had not yet voted on it.

The result was a disappointment for The Twelve and Piccolomini, but possibly not a big surprise. To most members of the council it might have been rather a trivial matter, and it was not mentioned in the protocol of the council kept by Juan de Segovia.<sup>1</sup> At any rate, the energies of the Council would now be consumed by the matter of deposing the suspended pope and electing a new one.

An important subtheme of the oration is the exaltedness of the episcopal office and the qualities required in bishops. Piccolomini's focus is not on this theme as such, but he uses it to bolster his argumentation for the careful scrutiny of candidates for the episcopacy: the more important and exalted the episcopacy is, the more candidates for that office ought to be scrutinized.

In his discussion of this issue, Piccolomini makes the following points:

- Bishops have the highest office in the Church
- Bishops should be acceptable to the people
- Bishops should be of tranquil mind
- Bishops should have courage
- Bishops should be just
- Bishops have divine authority

The texts used by Piccolomini describe the episcopal office as representing God directly, making it the fundamental ecclesiastical office on which all the others depend. He deals - not quite successfully - with the admittedly thorny problem of how both priests and bishops share the sacrament of priestly ordination, but the main point concerning the supremacy of the episcopal office is quite clear.

As in other orations of his, including the sermon on Saint Ambrose given in April 1438<sup>2</sup>, the criticism of the clergy is quite unambiguous. Whether this was a safe theme, popular with the council fathers, as Haller thinks, or an expression of an ingrained anti-clerical strain in Piccolomini's cultural conditioning, is debatable. At any rate, it is a concern that remained with him throughout his life and one that he propounded even in the last orations he gave as pope.<sup>3</sup>

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<sup>1</sup> Haller, p. 83.

<sup>2</sup> Oration "*Si quis me roget*" [2]

<sup>3</sup> Oration "*Sextus agitur annus*" [75]

### 3. Authorship

The one extant manuscript containing the oration does not mention Piccolomini as the author. Nonetheless, Haller does not hesitate to ascribe authorship to Piccolomini, for a number of reasons:<sup>1</sup>

- The text in the manuscript directly accompanies the text of the Sermon on Saint Ambrose by Piccolomini, from April 1438, also without indication of author
- The author belonged to the Deputation of Faith, like Piccolomini
- The author was a member of the Twelve, like Piccolomini
- Certain particulars of style point to Piccolomini as its author
- Except Piccolomini, there was nobody left at the Council who could give a speech of this type

To these arguments may be added the following:

Firstly, the profile of sources is similar to the profile in Piccolomini's Sermon on Saint Ambrose, in April 1438, and especially the use of the same group of letters from Jerome.

Secondly, the occurrence of two maxims used in other orations by Piccolomini:

- *Ego faciam quod sacerdotis est; quod imperatoris est, faciat imperator. Prius est, ut animam mihi quam fidem eripat*, also used in his sermon on Saint Ambrose, "*Si quis me roget*" [2], of the same year, 1438
- *Nulla civitas est malorum hominum omnino vacua*, also used in his oration "*Res Bohemicas*" [28], of 1456

In conclusion, it appears to be quite certain that the oration "*Si ea quae justa*" is one of Piccolomini's orations.

### 4. Date, place, audience and format

Haller gives the *terminus a quo* as 14 January 1438, the day when the council suspended the pope, which Piccolomini refers to in the oration (*cum propter suspensionem*). As *terminus ante quem*, he gives the date of the deposition of the pope, June 24, 1439.<sup>2</sup>

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<sup>1</sup> Haller, pp. 82-83

<sup>2</sup> Haller, pp. 83-84

Piccolomini returned from Milan to Basel in March 1438 and could not easily have become member of The Twelve and have worked on the matter of the bishops and given an oration on this matter before he left for Vienna in the middle of April, returning to Basel in June.

Moreover, the affair of the appointment of the Bishop of Alessandria, presumably one of the reasons the Twelve began to discuss the whole matter, took place in summer 1438, see above.

So, no exact date can be given for the oration, but Haller's conclusion that the most likely period was the period from November 1438 to March 1439 appears to be quite reasonable.

The place was Basel, and the venue probably the cathedral where many of the General Congregations of the council were held.

The audience consisted of the council fathers.

The format was an address to the council fathers by a junior, but centrally placed member of the council.

## 5. Text<sup>1</sup>

Like several other of Pius II's orations, the "*Si ea quae justa*" was not included in the Collected Orations of Pius II, from 1462, possibly because the text was not available in the pope's files at the time, or because of political considerations.<sup>2</sup>

### 5.1 Manuscripts

Presently, the oration is only known to be extant in one manuscript:

- **Roma / Biblioteca Apostolica Vaticana**  
Palat. lat. 603, ff. 199r-204r<sup>3</sup>

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<sup>1</sup> For the textual transmission of Pius II's, see *Collected Orations of Pope Pius II*, vol. 1, ch. 5

<sup>2</sup> It might have been awkward to publish a conciliarist text on the vital issue of the appointment of bishops as part of the official collection of the pope's orations

<sup>3</sup> Digital version: [http://digi.ub.uni-heidelberg.de/diglit/bav\\_pal\\_lat\\_603/0428](http://digi.ub.uni-heidelberg.de/diglit/bav_pal_lat_603/0428)

## 5.2. Editions

It has been edited once:

- J. Haller: Eine Rede des Enea Silvio vor dem Concil zu Basel. In: *Quellen und Forschungen aus italienischer Archiven und Bibliotheken*, 3 (1900) 82-102

## 5.3. Present edition

For principles of edition (incl. orthography) and translation, see *Collected Orations of Pope Pius II*, vol. 1, ch. 9-10.

*Text:*

The present edition is based on the Palat. lat.

Though the text was ably edited by Pez, it has – as a matter of principle – been re-collated for the present edition.

*Pagination:*

The pagination is from the manuscript.

## 6. Sources<sup>1</sup>

In the oration “*Si ea quae justa*”, altogether 65 direct and indirect quotations from various sources have been identified:

Biblical		25
Classical		11
Patristic and medieval	27	
Contemporary		2
<b>All</b>		<b>65</b>

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<sup>1</sup> For an analysis of Piccolomini’s use of sources, see *Collected Orations of Pope Pius II*, ch. 8

This table shows that the biblical and patristic quotations are by far the most frequent, while there are relatively few classical quotations. This is a very different picture from Piccolomini's first oration, the "*Audivi*" [1], from ca. two years before, where there was only one quotation from the bible and the fathers, but 30 from the classics.

### **Biblical sources**

#### Old Testament

Chronicles, 1.	1	
Ecclesiasticus	1	
Kings, 3.	3	
<b>All</b>		<b>5</b>

#### New Testament

Matthew	6	
John	1	
Luke	2	
Corinthians, 1.	2	
Galatians	2	
Philippians		1
Timothy, 1.	4	
Titus	2	
<b>All</b>		<b>20</b>
<b>All OT+NT</b>		<b>25</b>

### **Classical sources**

Cicero	6 <sup>1</sup>	
Gellius	2	
Justinianus: Corpus juris	1	
Terentius		1 <sup>2</sup>
Vergilius	1 <sup>3</sup>	
<b>All</b>		<b>11</b>

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<sup>1</sup> De amicitia 1; Tusculanae disputationes 5

<sup>2</sup> Andria 1

<sup>3</sup> Aeneis

### Patristic and medieval sources

Ambrosius	1 <sup>1</sup>	
Coelestinus I	1	
Jeronimus	16 <sup>2</sup>	
Lactantius		1 <sup>3</sup>
Ps.Clementine writings	1	
Ps.Jeronimus	7	
<b>All</b>		<b>27</b>

Note the quotations from the Pseudo-clementine writings and from Ps.Hieronimus, which illustrate the problem of Renaissance (and medieval) authors using spurious sources, believed them to be authentic.

### Contemporary sources

Bruni, L	1	
Decembrio, P.	1	
<b>All</b>		<b>2</b>

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<sup>1</sup> Sermo contra Aux. de basilicis trad.

<sup>2</sup> Epistolae

<sup>3</sup> Divinae institutiones

- St. Jerome: *Letters and Select Works*. (Nicene and Post-Nicene Fathers; Series 2, vol. 6) (Patristic Fathers; 29).<sup>1</sup>

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## 8. Sigla and abbreviations

**V** = Roma / Biblioteca Apostolica Vaticana /Palat. Lat. 603

**HA** = J. Haller: *Eine Rede des Enea Silvio vor dem Concil zu Basel*. In: Quellen und Forschungen aus italienischer Archiven und Bibliotheken 3 (1900) 82-102

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<sup>1</sup> <http://www.synaxis.org/cf/volume29/>

## Abbreviations

**CO** = Pius II: *Commentarii rerum memorabilium quae suis temporibus contigerunt* [1464]

**HA** = Eneas Silvius Piccolomini: *Historia Austriacalis*. Teil 1: Einleitung von Martin Wagendorfer. 1. Redaktion ed. von Julia Knödler. Teil 2: 2./3, ed. Martin Wagendorfer. 2 vols. Hannover, 2009. (Monumenta Germaniae Historica. Scriptores Rerum Germanicarum. Nova Series; 24)

**HB** = Aeneas Silvius Piccolomini: *Historia Bohemica*. Herausg. J. Hejnic & H. Rothe. 2 vols. Köln, 2005. (Bausteine zur slavischen Philologie und Kulturgeschichte. Neue Folge. Reihe B; 20)

**MA** = Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759

**MPL** = Migne, Jacques-Paul: *Patrologia latina*. 217 vols. 1841-1865

**RTA** = Deutsche Reichstagsakten

**WO** = *Der Briefwechsel des Eneas Silvius Piccolomini*. Hrsg. von Rudolf Wolkan. 3 vols. Wien, 1909-1918. (Fontes rerum Austriacarum, 2 / 61, 62, 67, 68)

**Decretum** = *Decretum magistri Gratiani*. Ed. Lipsiensis secunda. Eds. A.L. Richter & A. Friedberg. 2 vols. Leipzig, 1879

**Epistolarium** = Eneas Silvii Piccolominei *Epistolarium Seculare*. Ed. A. van Heck. Città del Vaticano, 2007. (Studi e testi; 439)

**Rainaldus** = *Annales ecclesiastici ab anno MCXCVIII ubi Card. Baronius desinit*. Auct. Odoricus Raynaldus. Tom. XVIII-XIX. Roma: Varesius, 1659-1663

**Reject** = *Reject Aeneas, accept Pius : Selected letters of Aeneas Sylvius Piccolomini (Pope Pius II)*. Intr. and transl. by T.M. Izbicki et al. Washington, D.C., 2006

# II. TEXT AND TRANSLATION

## Oratio ad patres concilii Basiliensis

[1] {199r} Si ea, quae justa et honesta sunt, reverendissimi patres, aequo animo et laeta fronte omnes susciperent, inutiliter quidem et omnino incassum vestras nunc aures perstreperem. Sed *amara sunt*, teste Lactantio, *vitiosis ac male viventibus praecepta justitiae*, et *ita se habet natura*, inquit Jeronimus, *ut amara sit veritas, blanda vitia existimentur*. Ea de causa facete apud comicum scribitur, quia *obsequium amicos, veritas odium parit*. Sed quorsum haec tam longo repetita principio? Num ego imputare aliquid sacro concilio velim? Absit a me scelus hujusmodi, absit ut vestra opera ego vituperem, qui omnes principes et cunctos homines teneri arbitror oboedire vobis et sua submittere capita. Nec dubito veram esse Coelistini sententiam, quia *spiritus sancti testatur praesentiam congregatio sacerdotum*.

# Oration to the Fathers of the Council of Basel

## 1. Introduction

[1] Reverend Fathers, if all calmly and gladly accepted what is just and decent, I should now be assaulting your ears uselessly and completely in vain. But, according to Lactantius,<sup>1</sup> *the precepts of justice are bitter to wicked men and malefactors.*<sup>2</sup> And Jerome<sup>3</sup> says that *it is the nature of things that truth is bitter, whereas vices seem pleasant.*<sup>4</sup> For this reason the Comic Poet<sup>5</sup> wittily writes that *complaisance makes friends, and truthfulness is the mother of unpopularity.*<sup>6</sup> But why this long beginning? Do I want to accuse the Sacred Council of anything? Far from me be the crime of criticizing your actions for I believe that all princes and all men are obliged to obey you and submit to you.<sup>7</sup> And I do not doubt the truth of the words of Celestine<sup>8</sup> that *an assembly of priests manifests the presence of the Holy Spirit.*<sup>9</sup>

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<sup>1</sup> Lactantius, Lucius Caecilius Firmianus (ca. 240-ca. 320): Early Christian author

<sup>2</sup> Lactantius: *Divinae Institutiones*, 5, passim, especially c. 11: *quia gravis est et acerba justitia*

<sup>3</sup> Jeronimus [Eusebius Sophronius Hieronymus] (ca. 347-420): Doctor of the Church. Saint

<sup>4</sup> Jeronimus: *Epistola ad Marcellam* (40) 1. MPL, XXII; col. 473. Translation quoted after JL

<sup>5</sup> Terentius Afer, Publius (195/185-159 BC): Roman author of comedies

<sup>6</sup> Terentius: *Andria*, 68

<sup>7</sup> "sua submittere capita"

<sup>8</sup> Celestinus I (d. 432): Pope from 422 to his death

<sup>9</sup> Celestinus I: *Epistola XVIII. B. Coelestini Papae I ad Synodum Ephesinam*. MPL, L, col. 504

[2] Scio tamen et illud, quoniam *nulla civitas est malorum hominum omnino vacua*, et cum Judas in apostolorum collegio fuerit, haud absurdum est, si etiam in hoc conventu permaximo et copiosissimo nonnulli esse dicantur impuri homines atque nefarii. Sed sua crimina illi viderint, meum non est de quopiam judicare. Illud autem doleo, illud ploro, illud quoque detestor, quia facilius impediri bonum quam prohiberi malum video, idque non sacro concilio, sed paucorum nequitiae ascribo. Video namque tam per XII viros quam per alios patres salubria saepe excogitata esse - ut vulgo dicimus - avisamenta, quae tamen in medium posita aut impediuntur omnino aut diutius negliguntur, idque mense praeterito, cum ego ex jussione vestra duodecemvir essem, factitatum perpendi.

[2] But I also know that *no city is completely free of evil people*,<sup>1</sup> and that Judas<sup>2</sup> belonged to the College of Apostles. Therefore, it is likely that also in this large and populous assembly there be immoral and impious men. However, their offenses are their own concern, and it is not my task to pass judgment on anybody. But this pains me, this I deplore and detest that it is easier to prevent good than to stop evil. I do not blame the Holy Council for this, but a few wicked men. For often the Committee of Twelve<sup>3</sup> or other Fathers have devised and proposed worthy recommendations which were afterwards obstructed and ignored. This I experienced just last month when, at your command, I was one of The Twelve.

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<sup>1</sup> Leonardo Bruni: *Laudatio Florentiae Urbis* (ca. 1403-1404, recirculated 1434), ch. 51: *Nulla unquam civitas adeo bene morata aut instituta fuerit ut malorum hominum esset omnino vacua*. This passage was also quoted by Pier Candido Decembrio: *De laudibus Urbis Mediolanensis* (1436), p. 1021: *Verum tamen nulla civitas adeo bene morata aut instituta fuerit quae malorum hominum, ut ipse [L. Bruni] professus es, omnino careret*

<sup>2</sup> Judas Iscariot: the disciple who betrayed Jesus

<sup>3</sup> The Council of Basel had as its members not only bishops and abbots, but also doctors of theology, representatives of cathedral chapters, monks and clerks of inferior orders who constantly outnumbered the prelates. The Committee of Twelve was a very influential coordinating and supervising body, with rotating membership. Piccolomini was often a member of that body and sometimes chairman, and he was evidently on the Committee when the matter of the scrutiny of candidates for episcopal office was treated. Otherwise, the council fathers were members of one of the four deputations (deputationes): the Deputation on Faith (fidei), the Deputation on Peace (pacis), the Deputation of Reform (reformatorii), and the Deputation on General matters (pro communibus). Every decision made by three of these "deputations" received ratification for the sake of form in a General Congregation, and if necessary led to decrees promulgated in session. In the case of the scrutiny of candidates for episcopal nominations it appears, from Piccolomini's oration, that whereas the three other deputations had approved the recommendation (avisamentum) of The Twelve, the Deputation on Faith had blocked it by not letting it be voted upon. See also Piccolomini's *De rebus Basiliae gestis commentarius*. In: Rejz, p. 333. See also Decaluwe, ch. 7: *Conciliar bureaucracy*

[3] Scitis quia XII viri, tamquam in specula constituti, ex officio sibi credito investigare habent, quae sint in ecclesia reformanda, deputationesque sacras, ut provideant, commonere. Hi mense transacto avisamentum unum<sup>1</sup> inter alia sacris deputationibus obtulerunt, quod quia nonnulli calumniati sunt, visum est mihi pro honore virorum XII aliqua dicere, quae si forsitan illis ingrata fuerint, dicam ego pro extimatione mea, nec diffitebor vestro conspectui illius avisamenti inventorem et promotorem me extitisse. Illud tamen asseveraverim, quoniam alii fere omnes avisamentum ut sanctum et utile acceptarunt et, quod plus est, tres sacrae deputationes ipsum admiserunt solaque deputatio pacis non renuit, sed neglexit. Ideoque, si avisamentum huiusmodi nunc defendam, non solum meam ac XII virorum, sed totius fere concilii videbor causam suscepisse eritque mihi cum paucis et - sicuti opinor - non recte informatis magis amica quam contentiosa dissensio. Sed jam ad rem ipsam veniamus.

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<sup>1</sup> *aut novum V*

[3] As you know, The Twelve have been appointed as overseers<sup>1</sup> and entrusted with the office of examining what needs to be reformed in the Church and inviting the Holy Deputations to address such matters. Last month the Committee of Twelve sent a recommendation, among others, to the Holy Deputations that has been severely criticized by several people. I have therefore decided to speak in defence of the honour of the Twelve, but since this may not be welcome to them, I shall only present my personal opinion, admitting that it was I myself who wrote and advanced the recommendation. But I insist that almost all others accepted the recommendation as pious and useful, and, more importantly, that three of the Holy Deputations approved it. As for the Deputation on Peace, it did not outright reject the recommendation, but simply ignored it. Therefore, defending this recommendation today, I not only act on my own behalf, but also on behalf of The Twelve and indeed on behalf of the whole Council: I intend to have a friendly rather than acrimonious debate with a few people who are not - as I believe - correctly informed about the matter.

And now we come to the matter at hand.

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<sup>1</sup> "in specula"

[4] Avisamentum hujusmodi fuit:

*Cum propter suspensionem domini Eugenii papae justis de causis factam, non solum collatio beneficiorum, sed ecclesiarum tam cathedralium quam aliarum provisio, quae per ipsum fieri possent, {199v} ad hoc sacrum concilium sit devoluta, disponendum videtur, ne quod in papa reprehendebatur, in sacro concilio reperiatur, ut scilicet personis idoneis provideatur, et qui non solum scientia, sed etiam vitae meritis et honestate praepolleant, ut possint tam verbo quam exemplo populis sibi commissis proficere, et cum hoc sit in omni provisione animadvertendum, praecipue tamen in promovendis episcopis est considerandum, cum et ipsi irreprehensibiles esse debeant et alia secundum apostolum habere requisita: eapropter exhortandi videntur praelati, quibus hujusmodi episcopales causae commissae sunt vel imposterum committentur, ut oculum ad hoc habeant et famam promovendi diligenter inquirant, ne, sicuti tenentur, omittant ex officio suo super meritis personae promovendae aliquos testes examinare mandeturque eis commissariis, ut facta relatione votum suum mediante juramento secundum Deum et conscientiam publice in generali congregatione mittant, ut alii sanctius et liberius secundum Deum deliberare in deputationibus valeant.*

## 2. Recommendation of The Twelve

[4] This was the recommendation:

*As the Lord Pope, Eugenius<sup>1</sup>, has been suspended, for just reasons, not only the bestowal of benefices,<sup>2</sup> but also the provision<sup>3</sup> of cathedral churches and other churches that would have been made by him have devolved upon this Holy Council. It is important that the Council should not be doing what the pope has been criticized for. Therefore only suitable persons should be given ecclesiastical office<sup>4</sup>, and they should excel not only in learning, but also in merits of life and in integrity so that they may benefit the people entrusted to them, both by words and by example. This should be observed in the provision of all offices, but especially in the appointment of bishops since these must be above reproach and have other qualities required by the Apostle.<sup>5</sup> Therefore those prelates who are now or will later be entrusted with episcopal nominations should be invited to have this in mind and to diligently examine the reputation of the candidates so that they do not disregard their obligation to question a number of witnesses concerning the merits of the respective candidates. And this obligation is laid upon the commissioners that, having made their report, they should keep their oath and publicly submit their votum, according to God and their own conscience, to the General Congregation so that others may be able to discuss the matter in the deputations, justly and freely under God.*

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<sup>1</sup> Eugenius IV (1383-1447): Pope from 1431 to his death. Dissolved the Council of Basel in January 1438. The council, no longer recognized by the pope, suspended him later in the same month and deposed him in June 1439

<sup>2</sup> I.e. ecclesiastical offices of all kinds

<sup>3</sup> Canonical Provision is a term signifying regular induction into a benefice (Catholic Encyclopedia)

<sup>4</sup> "provisio"

<sup>5</sup> 1. Timothy, 3, 2-3

[5] Audistis, optimi patres, avisamentum. Nunc quae ratio XII viros traxerit, et quid in adversum dicatur, animadvertite. Nec vos diu suspensos tenebo. Considerabant ipsi XII indecorum magno conventui vestro, quod aliqui hic fiant episcopi, qui nec litteris nec moribus polleant, et qui digitulis populi demonstrantur ad ignominiam, dicatque vulgus: “Ille vel ille est, quem sacra Basiliensis synodus creavit episcopum.” Neque enim vos fugit, quod apud summum pontificem non sine gravi discussione creantur episcopi, et quia tamen indigni quidam et inepti penitus promoventur, omnes Romanam curiam subsanamus. Quid si talia in vestro concilio fiant, quid si magis inepti per sanctum synodum quam per dominum apostolicum assumantur? Nonne clamabitur, quia *festucam in alienis magis quam trabem in vestris oculis attenditis?*

[6] Et cum sitis ad reformationem coacti, cavendum omnino est, ne videamini deformasse, quod quidem indubitanter eveniet, si tales episcopos ordinabitis, *quorum sermonem vituperent opera, ne forte*, sicut Jeronimus ait, *cum in ecclesia eorum quispiam loqui coeperit, tacitus quisque respondeat: cur haec ipse non facis? Non est facile stare loco Pauli et tenere gradum Petri<sup>1</sup> jam cum Christo regnantium*. Non parva res est episcopum esse, *nec omnes episcopi*, ut idem Jeronimus inquit, *episcopi sunt; attendis Petrum, sed et Judam considera*. Non est passim cuique hujusmodi dignitas committenda. Probet se unusquisque, et sic ad episcopatum accedat. *Episcopi* namque, si beato Clementi creditis in ea epistola, quam dicitur ad Jacobum fratrem domini conscripsisse, *vicem apostolorum tenent et reliquorum discipulorum presbyteri*.

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<sup>1</sup> *em. HA; omit. V*

### 3. Arguments for and against the recommendation

[5] Excellent Fathers, you have heard the recommendation. Now hear the reasoning of the Committee of Twelve and what may be said against it. I shall not keep you in suspense for long. The Twelve considered that it would be highly improper for this great Assembly to appoint bishops who were unsuitable both with regard to education and to personal qualities, and who might be scorned by the people, saying: "He and he were made bishops by the Holy Synod of Basel." You are aware that although the Supreme Pontiff does not appoint bishops without serious discussion, it sometimes happens that completely unworthy and unqualified persons are appointed – indeed, this is one of the reasons that we are now all endeavouring to reform the Roman Curia. But what if the same happens in your own Council? What if the Holy Synod appoints more unqualified persons than the Apostolic Lord?<sup>1</sup> Will it not be said that you are more concerned about ***the mote in another man's eye than about the beam in your own?***<sup>2</sup>

[6] Your task is to reform matters, so you must beware of making them worse. And this is what will undoubtedly happen if you ordain bishops *whose actions, as Jerome says, belie their words, so that when one such begins to speak in a church someone may mentally reply: 'Why do you not practice what you profess?'*<sup>3</sup> *It is not easy to take the place of Paul and hold the office of Peter, both of whom now reign with Christ.*<sup>4</sup> Being a bishop is not a small matter, and as the same Jerome said: *Not all bishops are bishops indeed; you consider Peter; mark Judas as well.*<sup>5</sup> This dignity should not be bestowed on anybody carelessly. Let each one prove himself, and then he may become a bishop. For, if you believe the words of the blessed Clement<sup>6</sup> in the letter he is said to have written to James<sup>7</sup>, the Lord's brother, then: *The Bishops hold the place of the apostles, and the priests hold the place of the other disciples.*<sup>8</sup>

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<sup>1</sup> I.e. the pope

<sup>2</sup> Matthew, 7, 3

<sup>3</sup> Jeronimus: *Epistola ad Nepotianum* (60), 7. MPL, XXII, col. 533. Translations quoted after JL

<sup>4</sup> Jeronimus: *Epistola ad Heliodorum* (14), 9. MPL, XXII, col. 353. See also Decretum Gratiani, C.2.7.29, col. 492

<sup>5</sup> Jeronimus: *Epistola ad Heliodorum* (14), 9. MPL, XXII, col. 353

<sup>6</sup> Clemens (d. 99): Pope from 92 to his death

<sup>7</sup> This letter is not by Clement I, but forms part of the Pseudo-Clementine Writings, a religious romance which purports to contain records made by Clement I, including materials on the the Apostle Peter

<sup>8</sup> *Pseudo-Clementine Writings. The letter of Clement to the apostle James*, 30

[7] Apostolus ergo est qui episcopus est. Apostolum autem esse, quid aliud est quam unum ex illis fore, quibus apud Matthaeum dominus ait: *Amen dico vobis: quaecumque ligaveritis super terram, erunt ligata et in caelis, et quaecumque solveritis super terram, erunt soluta et in caelo.* Claves nempe regni caelorum suscipit, quisquis creatur episcopus peccantemque hominem *tradere potest Satanae in interitum {200r} carnis, ut spiritus salvus fiat.* Cujus rei<sup>1</sup> sublimitatem Jeronimus circumspiciens ad Heliodorum scribit in haec verba: *Quodsi te inquit ad eundem ordinem pia fratrum blandimenta sollicitant, gaudebo de ascensu, timebo de lapsu.* Intelligebat nempe, quid esset episcopum fore.

[8] At nos hodie sine delectu aliquo creamus episcopos priusque aliquos imperitorum magistros efficimus, quam ipsi doctorum discipuli umquam fuerint, nec cogitamus, quoniam detrimentum pecoris pastoris est ignorantia. Sed o infelicem hodie statum ecclesiae! O ignorantiam temporis! Rem facilem et ominino levissimam arbitramur episcopatum. Ac si liberis nostris quaerimus paedagogum, tum illum ornatum, tum bonis moribus et honestate pollentem exigimus, tum grammaticae atque rhetoricae peritissimum. In eo vero, qui non solum uni familiae, sed uni civitati infinitisque animabus praeficitur, nec litteras quaerimus, nec mores egregios. Omnes clamitant, quia *qui episcopatum desiderat, bonum opus desiderat. Est<sup>2</sup> ista,* inquit Jeronimus - libenter namque gravissimi viri testimoniis in hac re utor. Sed junge, quod sequitur: *Oportet autem hujusmodi inreprehensibilem esse, unius uxorem virum, sobrium, pudicum, prudentem, ornatum, hospitem, docibilem<sup>3</sup>, non vinolentum, non percursorem<sup>4</sup>, sed modestum.*

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<sup>1</sup> em. HA; res V

<sup>2</sup> scimus est V; scimus Jeronimus

<sup>3</sup> doctorem Vulgata

<sup>4</sup> percussorem Vulgata

[7] So to be a bishop is to be an apostle. And to be an apostle is nothing else than being one of those to whom the Lord says, in Matthew: ***Amen I say to you, whatsoever you shall bind upon earth, shall be bound also in heaven: and whatsoever you shall loose upon earth, shall be loosed also in heaven.***<sup>1</sup> For whoever is made bishop receives the keys of the Kingdom of Heaven and he may deliver a sinner to Satan for the destruction of the flesh, that the spirit may be saved.<sup>2</sup> Seeing the greatness in this, Jerome wrote to Heliodorus: *Should the entreaties of your brethren induce you to take orders, I shall rejoice that you are lifted up, and fear lest you be cast down.*<sup>3</sup> For he really understood what it means to be a bishop.

[8] But today we appoint bishops without careful selection, and those who have never themselves been disciples of the learned we appoint as teachers of the unlearned. We do not consider how harmful the shepherd's ignorance is to his flock. Oh, the unhappy state of the Church today! Oh, the ignorance of the times!<sup>4</sup> We think that the episcopate is an easy and light affair. When we require a teacher for our children, we want a reputable person with excellent personal qualities and integrity, and someone who is a specialist both in grammar and rhetoric. But in someone who is to be made the head not only of a family, but of a city and of countless souls, we look neither for learning nor for excellent personal qualities. All proclaim that *if a man desires the office of a bishop, he desireth a good work.* "I know that," says Jerome - for in this matter I would rather use the testimony of a very serious person.<sup>5</sup> But note what he adds: *Such a one must be blameless, the husband of one wife, vigilant, sober, chaste, of good behaviour, given to hospitality, apt to teach, not given to wine, no striker, but patient.*<sup>6</sup>

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<sup>1</sup> Matthew, 16, 18. As a proper conciliarist, Piccolomini applies these words, said by Jesus to Peter, to all bishops

<sup>2</sup> 1. Corinthians, 5, 5

<sup>3</sup> Jeronimus: *Epistola ad Heliodorum* (14), 8. MPL, XXII, col. 352

<sup>4</sup> Note the rethorical figure of exclamation, of which Piccolomini was quite fond

<sup>5</sup> Piccolomini shared his admiration Saint Jerome with other humanists: *The admiration of Italian humanists for Jerome is thus a single instance of a larger cultural phenomenon, the rediscovery and reevaluation of Christian antiquity, itself an integral part of the rediscovery and reevaluation of ancient arts and letters* (Rice, p. 85). The only work of Jerome used by Piccolomini in his orations (and only until 1452), was Jerome's Letters. Piccolomini had probably studied a volume containing these letters in the possession of Archbishop Pizzolpasso, and he even made a collection of excerpts from it to be used in his own later work, still extant in a manuscript in the Vatican Library, the Chis. J.VII.251, ff. 260r-262v

<sup>6</sup> Jeronimus: *Epistola ad Heliodorum* (14), 8. MPL, XXII, col. 352. After 1. Timothy 3, 1 ff

[9] Unum tamen in hoc loco non praeteribo, quoniam in his verbis de presbyteris apostolus loquebatur episcopatumque, ut saepe facit, pro presbyterato posuit. Namque cum ait ad Titum: *Hujus rei gratia reliqui<sup>1</sup> te Cretae, ut ea quae desunt corrigas et constituas per civitates presbyteros, quemadmodum tibi disposui. Si quis sine crimine est, unius uxoris vir, filios habens fideles, non in accusatione luxuriae aut non<sup>2</sup> subditos: oportet enim episcopum sine crimine esse, notum est, quia<sup>3</sup> presbyterum vocavit episcopum. Et ut in hoc quoque Jeronimi auctoritate utamur, sic ille de gradibus sacerdotalibus inquit: *Philippi<sup>4</sup> certe una Macedoniae civitas est, et cum ibi apostolus Paulus episcopis et diaconibus scribat<sup>5</sup>, quid omnino nisi eos qui sunt<sup>6</sup> presbyteri episcopos vocat?* Quae auctoritas valde confundit eos, qui negant inferiores presbyteros cum episcopis, sicut nunc agimus, judicari. Expresse enim inquit Jeronimus, quia *presbyteri sacerdotum*, id est episcoporum, *interesse concilio debent.**

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<sup>1</sup> *em.* HA; reliqui qui V

<sup>2</sup> *em.* HA; deis V [*sic!*]

<sup>3</sup> *em.* HA; qui V

<sup>4</sup> *em.* HA; Philippus V

<sup>5</sup> scripsit Pseudo-Jeronimus

<sup>6</sup> praesunt Pseudo-Jeronimus

[9] One thing I shall not pass over: here the Apostle spoke about priests and, as he often did, he used the terms “bishop” and “priest” interchangeably. For it is clear that he called the priest a bishop in this passage from his letter to Titus: *For this cause I left thee in Crete: that thou shouldest set in order the things that are wanting and shouldest ordain priests in every city, as I also appointed thee: If any be without crime, the husband of one wife, having faithful children, not accused of riot or unruly. For a bishop must be without crime.*<sup>1</sup> And - so as to use the authority of Jerome on this issue, too - this is what he wrote about the degrees of priesthood: *Philippi*<sup>2</sup> *is a city in Macedonia, and when the Apostle Paul writes to the bishops and deacons there, it is clear that he calls the priests there bishops.*<sup>3</sup> This authoritative statement greatly embarrasses those who deny that the lower order of the priests should sit in judgment together with the bishops, as we practice it now.<sup>4</sup> For Jerome says expressly that *presbyters should participate in the council of priests, i.e. bishops.*<sup>5</sup>

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<sup>1</sup> Titus, 1, 5-7. Quoted by Pseudo-Jerome, 6. MPL, XXX, col. 157

<sup>2</sup> Philippi: city in eastern Macedonia, established by Philip II of Macedon in 356 BC. One of the Pauline letters, i.e. the Philippians, is addressed to the Christian community in Philippi

<sup>3</sup> Philippians, 1, 1: *Paulus et Timotheus, servi Jesu Christi, omnibus sanctis in Christo Jesu, qui sunt Philippis, cum episcopis et diaconibus.* Quoted by Pseudo-Jeronimus, 6. MPL, XXX, col. 157

<sup>4</sup> Here Piccolomini refers to the question of whether simple priests or only bishops should be member of an ecumenical council or have a vote in the deliberations. At the Council of Basel, the proportion of members who were not bishops was unusually high, so high that the opponents of the council used this fact to criticize the validity of its decisions. Piccolomini himself was by then a full member of the council, but not a bishop, and not even a priest, so he had a personal interest in the issue

<sup>5</sup> Pseudo-Jeronimus, 6. MPL, XXX, col. 157

[10] Sed ut ad propositum redeam, si ibi apostolus tam multa in presbyteris requirit, quid in episcopis creditis eum requisivisse? Scitum est illud, quia cui plus *creditur, plus ab eo exigitur*. Ac nobis hodie non sufficit priores illos ecclesiae ordines confundisse, supremum etiam episcopalem evertere festinamus. Respicite ad fossarios, hostiarios, atque lectores! Quae nunc horum ordinum existimatio est? Venio ad subdiaconos atque levitas. Nonne is etiam ordo contemnitur? Plus tamen de presbyterali doluerim, in quo gradu, licet sit ille sublimis, tales interdum poni videmus, ut non solum officium, sed ornamenta quoque officii vituperentur. Nam neque claudos neque {200v} parte membrorum carentes neque, quod pejus est, genus aliquod hominum a sacerdotio rejicimus et nonnumquam tales ad mensam domini et ad conficiendum sacratissimum Christi corpus admittimus, quos esse nobiscum in epulis nullo modo pateremur. Ideoque cum isti ordines jam paene ceciderunt ex indiscreta cujuslibet admissione, videbatur XII viris circa supremum ordinem providendum, ne gradum quoque hujusmodi, hoc est episcopalem, penitus destruamus, quod quidem omnino fiet, nisi major in creandis episcopis discussio fiat. Ea de causa necessarium putaverunt advisamentum, quod supra retulimus, vestris offerre conspectibus.

[10] But, turning back to the matter at hand, if here the Apostle demanded so much from the priests, what do you think he required from the bishops? It is known that ***to whom they have committed much, of him they will demand the more.***<sup>1</sup> It appears, however, that today, we have not just brought disorder into the lower clerical orders:<sup>2</sup> no, we are also hastening to overthrow the highest, episcopal order. Look at the gravediggers, the gatekeepers, and the readers: how are these orders esteemed today? And coming to the subdeacons and the deacons: is their order not despised, too?<sup>3</sup> The priestly order, however, pains me even more, for though this order is exalted, we sometimes see such persons placed in it who shame not only the office itself, but even its ornaments. For we do not keep cripples and amputees and, what is worse, a certain kind of people<sup>4</sup> away from the priesthood, and sometimes we admit to the table of the Lord and the making of the Holy Body of Christ such people as we would not at all suffer to join us for meals. As these clerical orders have almost been destroyed because of the indiscriminate admittance of everybody to them, The Twelve have found that steps must be taken concerning the highest order, so that the episcopal dignity should not be completely destroyed, for that is what will happen if there is no serious examination before bishops are appointed. Therefore, The Twelve have considered it necessary to submit the aforementioned recommendation to you.

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<sup>1</sup> Luke, 12, 48

<sup>2</sup> In Pseudo-Jeromus the seven holy orders (minor and major) are the gravediggers, the doorkeepers, the lectors, the subdeacons, the deacons, the priests, and the bishops. In the later Church the seven holy orders are the doorkeepers, the lectors, the exorcists, the acolytes, the subdeacons, the deacons and the priests (with bishops). There has evidently been a development concerning the lower orders which Piccolomini considers as disorder

<sup>3</sup> Note the device of the rhetorical question, which Piccolomini used quite often

<sup>4</sup> The meaning is unclear: Piccolomini omits to say what kind of people he is talking about, possibly because his audience would be aware of it

[11] Cujus avisamenti duae praecipuae fuerunt partes: altera ut testes in episcopalibus causis audiendi ex officio quoque commissariorum examinentur, altera ut facta relatione in auditorio generali votum suum medio juramento commissarii emittant, ne scilicet ordo iste episcopalis videretur contemni, neve in sacro concilio vituperare aliquis promotos et promoventes posset. Nec hoc sufficere XII viri in tanta re putaverunt, sed esse obicem quemdam in effrenatis quorundam ambitionibus, qui dignitatem episcopalem non solum poscere, sed etiam emere audent. Sed *inimicus*, inquit<sup>1</sup> apostolus Paulus, *vobis factus sum verum dicens; et quoniam salvatoris dura videbantur eloquia, plurimi discipulorum retrorsum abierunt*. Unde non mirum est, si et ipsi XII viri vitii detrahentes et ambitionibus aliquorum obstantes complures offenderint, qui nolentes se emendare avisamento resistunt, ipsum tamquam ineptum et omnino inutile rejiciunt. Existimo tamen aliquos fore, quos recta intentio, parum tamen examinata, in avisamentum armaverit. Nec enim omnes reprehendo, qui contra XII viros senserunt, sed tantum quos neque ratio neque bonitas, sed sola movit ambitio. Utcumque est, tamen tam istis quam illis est respondendum: illis ut melius informati veritatem cognoscant, et istis ut hoc proelio victi moliri deinceps talia erubescant. Ceterum tempus est, ut ipsos audiamus.

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<sup>1</sup> dicit HA

[11] The recommendation has two main parts: one says that in episcopal cases the commissioners should be obliged to personally examine the witnesses to be heard. The other one that upon their report to the General Congregation the commissioners should give their *votum* under oath. The purpose is that the episcopal order should not be seen as unimportant, and that nobody in the Holy Council may blame those who promote a case or those whose case is promoted. In view of the importance of the matter, The Twelve actually considered this measure as insufficient, but still they believe that it would function as a barrier to the frenetic ambitions of those who not only demand the episcopal dignity, but who even have the temerity to buy it.<sup>1</sup> *Am I then become your enemy, because I tell you the truth,*<sup>2</sup> says the Apostle Paul. *And since many of the disciples found the sayings of the Saviour to be hard, they went away.*<sup>3</sup> Therefore, it is not to be wondered that The Twelve, in countering vice and obstructing the ambitions of some people, have offended many who do not wish to amend their ways<sup>4</sup> and therefore oppose the recommendation, rejecting it as unsuitable and completely useless. I do believe, however that some well-intentioned people are against the recommendation because they have not yet considered it sufficiently. And I do not criticize all those who disagree with The Twelve, but only those who are moved neither by reason nor by goodness, but only by ambition. Both groups should have a reply, though: the first one<sup>5</sup> so that, having become better informed, they may know the truth of the matter; and the second one<sup>6</sup> so that, having been defeated in this battle, they will be too ashamed to continue their struggle.

Now it is time to hear their arguments.

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<sup>1</sup> Thus committing the sin of simony

<sup>2</sup> Galatians, 4, 16

<sup>3</sup> Jeronimus: *Epistola ad Marcellam* (40), 1. MPL, XXII, col. 473. Cf. John, 6, 61, 67

<sup>4</sup> Cf. Jeronimus: *Epistola ad Marcellam* (40), 1. MPL, XXII, col. 473

<sup>5</sup> I.e. those who are not moved by ambition

<sup>6</sup> I.e. those who are moved by ambition

[12] Primam avisamenti partem ideo damnant, quoniam nihil afferat novi, jurisque fore vetusti asserunt, ut ex officio testes in episcopalibus causis interrogentur. Quis istud negat? An ideo laceramur, quia veterem legem cupimus innovari? Quis nescit Constantiensis concilii decretum esse, quod incipit *Frequens*? At<sup>1</sup> id vos quoque, reverendissimi patres, innovavistis. Toletanum decretum est, ne qui strepere aut tumultum facere in sacris congregationibus audeant. Num istud etiam in vestris sessionibus est repetitum? Qui nobis detrahit, et vobis detrahit, sanctissimi patres. Praetereo symbolum fidei in magna Nicaena synodo editum, quam multa ex post concilia repetierint. Evolvite digestorum pandectorumque codices, aspiciate decretales epistolas: errore hujusmodi, si {201r} error est aliquis, omnia plena invenietis! Quid – obsecro - est quod novas quotidie membranas tingimus? Cur tot leges ad humani generis salutem perscribimus? Sufficerent nobis, quae scripta sunt, et utinam antiquorum leges observaremus! *Si vis ad vitam ingredi*, ait dominus, *serva mandata*. Atque - ut circumscriptius loquar - unico praecepto lex tota impletur: *Omne quod tibi fieri nolueris, alio ne feceris*. Quid igitur dietim novae constitutiones emergunt? Nempe ut novis legibus custodiantur antiquae.

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<sup>1</sup> *em.* HA; ad V

### 3.1. Witnesses

[12] The first part of the recommendation<sup>1</sup> they reject because it brings nothing new, but just reaffirms the old law stipulating that in episcopal cases witnesses must be heard. But who refutes that? Are we being chastised because we want to uphold an old law? All know that the decree *Frequens* was passed by the Council of Konstanz, but, Reverend Fathers, this decree you have yourselves renewed.<sup>2</sup>

A decree from the synod of Toledo says that nobody should have the temerity to make noise or disturbance in the sacred congregations. Has this decree not been repeatedly read in your own sessions? So, Holy Fathers, those who criticize us, criticize you, too!

I pass over that the confession of faith issued by the great Synod of Nicaea has been repeated afterwards by many councils.

If you leaf through the digests and the pandects and look at the decretals, you will find that they are all full of this same mistake, if mistake it is. Why indeed - I ask - do we fill new parchments every day? Why do we write so many laws for the good of mankind? Wouldn't you think that those that have already been written would suffice, and ought we not simply observe the laws of the ancient? **The Lord says: *If thou wilt enter into life, keep the commandments.***<sup>3</sup> And to be more concise, the whole law is fulfilled in one command: *Whatsoever you would not want men to do to you, you should not do to them.*<sup>4</sup> So, why is it that new constitutions appear daily? For this one and only reason that old laws be preserved by new ones.

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<sup>1</sup> I.e. "in episcopal cases the commissioners should hear and examine witnesses *ex officio*"

<sup>2</sup> The decree *Frequens* was not reissued in Basel, but only read in the first session (Haller, p. 92, n. 2)

<sup>3</sup> Matthew, 19, 17

<sup>4</sup> A somewhat free rendition of Matthew, 7, 12: *All things therefore whatsoever you would that men should do to you, do you also to them (omnia ergo quaecumque vultis ut faciant vobis homines et vos facite eis)*

[13] Nec latebat XII viros legem esse de testibus - ut aemuli garriunt - veterem, sed stare illam in medio librorum mutam atque elinguem nec aliquos circa eam respicere. Videbant creari episcopos nec alios examinari testes, nisi<sup>1</sup> quos<sup>2</sup> promovendus ipse produxisset<sup>3</sup>. Quo factum est, ut aliqui ita puri et mundi probati sint, ut sola miracula ad sanctitatem deforent. Nescio, an conscientiae vestrae sic de illis existimaverint. Mihi videtur eo miseriarum ecclesiam devenisse, ut ridiculos magis quam veros pastores conspiciamus. Nec sine dolore referre possum, quod in facie universalis ecclesiae cum risu ac joco creentur, ubi fuissent oculi nostri uberibus lacrimis irrigandi. Sed malum hujusmodi nihil aliud peperit quam lex illa de testibus oblitterata et omnino abjecta. Quam si XII viri nunc cupiant renovari, videte an juste in ora quorundam tamquam reprehendendi ceciderint! Sed clamat apostolus, quia *si hominibus placere vellem, Christi servus non essem*.

[14] Adversarii tamen hac prima congressione devicti aliud pugnae genus instituunt et una cervice abscissa in morem hydrae aliam erigunt. Quid respondebis, inquiunt, mihi ad jusjurandum? Dignumne tibi videtur juramento astringi commissarios? Hoc si fiat, nullus erit episcopus. Quis namque jurare velit istum vel illum episcopatu dignum existere? Unus profecto in nostra deputatione fidei gravi et firmo judicio pater juramentum hujusmodi refellebat - elemosinarium dico et oratorem serenissimi regis Aragonum<sup>4</sup>, cui quantum ipse tribuam non facile dixerim - sed extimo, quia nihil praemeditatum haberet. Tanta est enim illius viri praestantia, ut nihil ab eo appensate dictum non verum aut non rectum putem. At in re subitanea doctissimi saepe viri falluntur, ut fortissimos quosque milites subita bella conturbant et ante cogunt fugere quam arma capessere. Referam tamen, quod ipse vir insignis contra jusjurandum adducebat. [*cont.*]

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<sup>1</sup> em. HA; omit. V

<sup>2</sup> em. HA; quis V

<sup>3</sup> produxit HA

<sup>4</sup> em. HA; Araganum V

[13] Contrary to the blatherings of the critics, The Twelve were not ignorant of the old law concerning witnesses, but it is sitting there in old books, mute and without speech, and nobody pays any attention to it. They saw that bishops are appointed without witnesses being examined other than those whom the candidate himself produced. Some candidates have actually been shown to be so pure and unblemished that only miracles were lacking for them to be saints. I do not know whether in conscience you really thought thus about these men. But I think that the misery of the Church has come to a point where we see ridiculous rather than true pastors. It pains me to report that before the Universal Church our pastors are appointed with laughter and jokes when our eyes should be filled with tears. This wicked state of affairs has come about precisely because the old law on witnesses has been forgotten and thrown away. If The Twelve want to uphold it now, consider whether it is fair to criticise them for it. But the Apostle says that *If I yet pleased men, I should not be the servant of Christ.*<sup>1</sup>

### 3.2. Oaths

[14] Having been defeated in the first engagement, our adversaries now begin another kind of fight, and like the Hydra<sup>2</sup> they grow a new head for each one being cut off. “What will you answer me,” they say, “concerning the issue of the oath? Do you really think it is proper to obligate the commissioners by means of an oath? If that happens, then there will be no bishops. For who will have the courage to swear that this or that man is worthy of becoming a bishop?” Indeed, in our Deputation on Faith<sup>3</sup> there was one Father,<sup>4</sup> a man who is otherwise of solid and firm discernment, who spoke against the oath in this way (I am talking about the almoner and the orator of His Serene Highness, the King of Aragon,<sup>5</sup> and cannot say how much I owe him). But I believe that he was taken unprepared, for this man is so admirable that everything that he says upon reflection I consider to be true and right. But when things happen suddenly, even the most learned men make mistakes, just like the strongest soldiers caught in sudden combat are forced to flee before they can get their weapons. But I shall tell you what this distinguished man said against the oath. [cont.]

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<sup>1</sup> Galatians, 1, 10

<sup>2</sup> The Lernaean Hydra: an ancient serpent-like water monster with several heads (Greek mythology). When you cut of one head, as Hercules did, more heads would grow out

<sup>3</sup> Confirmation that the author of the oration was also a member of the Deputation of Faith

<sup>4</sup> Bernhardus Serra, cf. Helmrath, p. 241

<sup>5</sup> Alfonso V the Magnanimous (1396-1458): King of Aragon and Sicily from 1416 to his death. At the time, he opposed, together with the Duke of Milan, Pope Eugenius IV and therefore favoured the Council of Basel. However, he did not recognize the deposition of the pope with whom he was getting reconciled

[14 cont.] Fuisse conterraneum suum dixit, qui asserenti Petro de Luna sive - ut ipse<sup>1</sup> ait - Benedicto XIII., ideo se diutinam ecclesiarum ferre vacationem, quod nullum episcopatu nosceret dignum. "Arbitrabar, o summe pontifex," retulit, "usque in hanc diem sapientem te fore, nunc vero stultissimum omnium iudico, qui {201v} alios quaeris homines quam saecula nostra producant."<sup>2</sup> Laudabat elemosinarius facetum hominis dictum timebatque, ne dato commissariis juramento alios Benedictos efficeremus nec quemquam inveniremus, quem jurare idoneum commissarii vellent. Sed fuit forsitan Benedictus nimis extremus nimiumque, ut ajunt, vivendi normam restringebat, nesciens quia populi<sup>3</sup> omnem exsuperantiam virtutis oderunt.

[15] Namque, sicut Romanus orator inquit, *Aristides*, graecus philosophus, *ob eam causam expulsus est patria, quod praeter modum justus esset. Philosophorum quoque sententia est*, ut Jeronimus noster scribit, *moderatas esse virtutes, et excedentes modum atque mensuram inter vitia reputari*. Unde et unus de VII sapientibus *ne quid*<sup>4</sup>, ait, *nimis*. Quod tam celebre factum est, ut comico quoque versu expressum sit. At non illa XII virorum mens fuit. Non enim de diis, sed de hominibus sciebant esse assumendos episcopos. Et sicuti Cicero in eo, qui est *De amicitia* libro, sapientes illos, qui Romae fuerunt, non ad exactam philosophiae disciplinam metitur, sic nos episcopos nostri temporis non ad apostoli normam omnino redigimus, sed utimur pinqui Minerva. Nec enim Phoenicem in Arabiae desertis vestigamus<sup>5</sup>. Sufficit nobis plus boni quam mali in episcopis apparere, quamquam quis prohibet, nunc etiam servandas esse leges apostoli.

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<sup>1</sup> *em.* HA; ipsi V

<sup>2</sup> *em.* HA; producat V

<sup>3</sup> *em.* HA; populus V

<sup>4</sup> *em.* HA; ne quid : nequit V

<sup>5</sup> investigamus HA

[14 cont.] Once Pedro de Luna - or Benedict XIII as he called himself<sup>1</sup> - said that he would accept a diocese being left vacant as long as there was no one worthy of becoming its bishop. Then a compatriot of our almoner answered him: "Supreme Pontiff, until now I thought that you were a wise man, but now I consider you to be the greatest fool of all since you want other men than our time brings forth." The almoner praised the facetious remark made by this man and expressed the fear that if we forced the commissioners to take an oath, then we would create other Benedicts, and we should find nobody whom the commissioners would swear were suitable. But maybe Benedict was too extreme and too severe when it came to standards of behaviour and disregarded the fact that people hate all excess of virtue.

[15] For as the Roman Orator<sup>2</sup> says, the Greek philosopher *Aristides*<sup>3</sup> was banished from his country because he was too just.<sup>4</sup> And as our Jerome writes, *The philosophers believe that virtues are moderates and that carried to the extreme they become vices*.<sup>5</sup> And one of the seven wise men<sup>6</sup> says: *Nothing in excess*. This saying became so famous that the Comic Poet<sup>7</sup> used it in one of his verses.<sup>8</sup> But this was not the intention of The Twelve for they knew that bishops are not picked from among the gods, but from men. And as Cicero says in his book *De Amicitia: The wise men who were in Rome were not measured by the exact standard of philosophy*.<sup>9</sup> Similarly, today we no longer form the bishops after the standards of the apostle. Instead we use the Fat Minerva,<sup>10</sup> and we are not looking for Phoenix in the Arabian deserts.<sup>11</sup> It is sufficient that there is more good than bad in our bishops. However, who would forbid anyone to follow laws of the Apostle even today?

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<sup>1</sup> Benedict XIII: antipope. He was one of the three popes deposed by the Council of Constance in 1417. He continued to consider himself pope, residing in the Kingdom of Aragon until his death in 1423

<sup>2</sup> Cicero, Marcus Tullius (106-43 BC): Roman statesman and author

<sup>3</sup> Aristides (530-468 BC): Athenian statesman, at some time banished in connection with a political conflict

<sup>4</sup> Cicero: *Tusculanae disputationes*, 5.36.105

<sup>5</sup> Jeronimus: *Epistola ad Demetriadem* (30), 11. MPL, XXII, col. 1116

<sup>6</sup> Title given by ancient Greeks to a group of philosophers from the 7<sup>th</sup> and 6<sup>th</sup> century BC

<sup>7</sup> Terentius

<sup>8</sup> Terentius: *Andria*, 61

<sup>9</sup> Cicero: *De Amicitia*, 5.18, freely rendered

<sup>10</sup> Pinguis minerva: classical expression denoting a falling short of the high standards of Minerva (Athena), goddess of wisdom, sense and reflection

<sup>11</sup> The mythological bird, Phoenix, is sometimes used as an image of the exceptional man

[16] “Num jus ipsum divinum semper viride est et semper loquitur?” En justa excusatio erit: ideo indignum recipio, quia nescio dignum! *Quasi vero*, inquit<sup>1</sup> Jeronimus, *Deo deficiant sacerdotes*. Heu nimium timidi, qui cum Elia clamatis: *Prophetas tuos occiderunt et altaria tua suffoderunt, et ego relictus sum solus*. Audite responsum domini ad eum: *Reliqui mihi*, inquit, *VII millia virorum, qui<sup>2</sup> non curvaverunt<sup>3</sup> genua sua ante Baal*. Ne credamus, sicut alii stulte putant, ad unicam vetulam posse redigi fidem, quia *vobiscum sum*, dixit dominus, *usque ad consummationem saeculi*, ususque est non singulari verbo, sed plurali, sciens quoniam semper essent in fide complures. Vana est igitur illa et deridenda penitus excusatio: propter penuriam hominum suscipiamus indignos, ideoque jurare nolumus, quia necessum sit perjurare<sup>4</sup>.

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<sup>1</sup> *em.* HA; inquit V

<sup>2</sup> *em.* HA; que V

<sup>3</sup> *em.* HA; corruaverunt V

<sup>4</sup> *em.*; projurare V

[16] “But divine law itself does not always flourish and it does not always speak.”<sup>1</sup> That is really a wonderful excuse: I must approve an unworthy [candidate] because I do not know anyone who is worthy! *As if God, says Jerome, would be lacking in priests!*<sup>2</sup> They are very timid who cry with Elias: *Lord, they have slain thy prophets, they have dug down thy altars. And I am left alone.*<sup>3</sup> Hear the Lord’s answer to him: *I have left me seven thousand men that have not bowed their knees to Baal.*<sup>4</sup> Let us not think, as some foolish people do, that Faith can be reduced to one little old woman, because *I am with you*<sup>5</sup> all days, says the Lord, *even to the consummation of the world.*<sup>6</sup> And he did not use “you” in the singular, but in the plural, knowing that there will always be many who have the Faith. So, it is an empty and ridiculous excuse that “the scarcity of suitable persons makes it necessary to accept unworthy persons as bishops and therefore we will not swear that they are worthy for that would be perjury.”

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<sup>1</sup> The objection here is that even divine law in the sense of canon law may sometimes become obsolete or fall into disuse

<sup>2</sup> Pseudo-Jeronimus, 7. MPL, XXX, col. 160

<sup>3</sup> 3. Kings, 19, 10, 14

<sup>4</sup> 3. Kings, 19, 18

<sup>5</sup> vobiscum, in the plural

<sup>6</sup> Matthew, 28, 20

[17] Nec enim, si diligenter investigemus, in tantum defecit mundus, ut sceleratis hominibus ecclesias penitus oporteret commendare. Quod si verum esset, vacare potius ecclesias cum Benedicto velim, quam non pastoribus, sed lupis oves committere. Sed dicet adversarius meus: “Da mihi hominem sine crimine!” Cui respondebo, quia non jurant commissarii hominem sine macula fore. Juramentum est, quia pensatis omnibus aut committendam {202r} esse nominato viro ecclesiam putant aut nullatenus committendam. Quis hoc juramentum impugnet, quis hic resistat<sup>1</sup>? Juramus omnes incorporati solum Deum et conscientiam in quovis negotio sequi. Jurati sunt iudices vestri, jurati sunt collatores, jurati omnes, quos emittitis oratores, jurati etiam litterarum vestrarum scriptores. Ac commissarii, qui causas episcopales examinant, non jurabunt? An non tritum est illud, quia ubi majus periculum est, ibi cautius est agendum? Quid – obsecro - majus est quam gratos pastores suis gregibus ordinare? An vultis in tanto dignitatis fastigio simoniae locum patere? At non sic Caesarum sanxit auctoritas – libet mihi etiam in hoc negotio saecularem adducere legem, cujus aurea verba et omni religioso viro dignissima referre in hoc loco constitui, ut qui nimium duros sacros canones arbitrantur<sup>2</sup>, per saeculares codices erubescant. *Nemo gradum sacerdotii, ait Augustus<sup>3</sup>, pretii venalitate meretur<sup>4</sup>; quantum quisque mereatur, non quantum dare sufficiat extimetur. Profecto enim quis locus tutus, quae causa<sup>5</sup> poterit esse excusata, si veneranda Dei templa pecuniis expugnentur? Quem murum integritati aut vallum fidei providebimus, si “auri sacra fames” veneranda templa proserpit<sup>6</sup>? Quid denique cautum esse poterit aut securum, si sanctitas incorrupta corrumpitur?*

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<sup>1</sup> *em.* HA; resistatur V

<sup>2</sup> *em.* HA; arbitrant V

<sup>3</sup> *em.* HA; Augustinus V

<sup>4</sup> mercetur *em.* HA

<sup>5</sup> *em.* HA; terra V

<sup>6</sup> *em.* HA; proserpitur V

[17] If we examine the matter carefully, the world has not come to the point where it is necessary to entrust the churches to wicked people. If that were true, I would side with Benedict and say: let the churches be vacant; do entrust them to wolves instead of to shepherds. Here my opponent will object: "But who is without sin?" I will answer him that the commissioners are not required to swear that the candidate is without blemish. The oath will be that, everything considered, the church should be given to the nominee or not. Who would find fault with this oath, who would oppose it? When we become members of the council, we all swear to follow only God and our conscience in all matters. Your judges have sworn an oath, your *collatores* have sworn an oath, all those whom you send as your orators have sworn an oath, even those who write your letters have sworn an oath. But the commissioners who examine the episcopal cases should not swear? Is it not a common truth that the greater the danger, the greater the caution? What - I ask you - could be more important than appointing pastors who are acceptable to their flocks?

Or do you wish that in this great office there should be room for simony? But that has not been sanctioned by the authority of the emperors – I take the liberty of referring also to a secular law in this matter, and I have decided to quote it here, for its words are golden and worthy to be used in this context by any religious person, so that those who think that the holy canons<sup>1</sup> are too severe, will blush when they hear what is said in the secular lawbooks: *No one, says the emperor, shall purchase a rank of priesthood by bribes; he shall be judged not by what he can pay, but by what he deserves. Surely, what place could be safe, what cause defended, if the venerable temples of God are captured by money? What bulwark for integrity or what protection of the Faith can we provide if the "accursed hunger for gold"<sup>2</sup> corrupts the holy temples? What, finally, may be protected or safe if uncorrupted holiness is corrupted?*

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<sup>1</sup> i.e. canon law

<sup>2</sup> Virgil: *Aeneis*, 3, 57

[18] De episcopis loquitur imperator, ideoque paulo post subjicit: *Ita castus et humilis nostris temporibus eligatur episcopus, ut locorum quocumque perveniat, omnia vitae propriae integritate purificet. Non pretio, sed precibus ordinetur antistes. In tantum ab ambitu debet esse sepositus, ut quaeratur cogendus, rogatus recedat, invitatus effugiat<sup>1</sup>. Sola illi suffragetur necessitas excusandi. Profecto enim indignus est sacerdotio, nisi fuerit ordinatus invitus.* Quid hoc textu clarius expectatis vobis? Possum afferre ad propositum aptius? An hic brevibus verbis depictum<sup>2</sup> quodammodo episcopum cernitis? Certe non haec tempore Pauli lex prodiit, sed multis postea saeculis emanavit, siquidem jus ipsum codicis Justiniani tempore collectum fuit, quem diu post Constantinum Magnum imperasse non ignoramus.

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<sup>1</sup> *em.* HA; effugia V

<sup>2</sup> *em.* HA; depidum V

[18] The emperor is speaking about bishops, and a little later he adds: *So let an unpolluted and humble man be chosen as bishop so that wherever he goes the spotlessness of his own life will purify all. Let him be ordained, not by money, but by prayers. He should be so far removed from corrupt solicitation that he will be sought out, in order to be forced; who when asked, will turn back, when invited, will flee. To such a person, necessity only shall be ground of excuse. And surely he is unworthy of the priesthood, unless he is ordained unwillingly.*<sup>1</sup> Could you ask for anything clearer than this text? Could I quote anything more relevant to the matter at hand? Do you not see how the bishop is described in these few words? This law certainly does not date back to the time of Paul, but was passed centuries later, for the law digest in question was prepared at the time of Justinian<sup>2</sup> who, as we know, reigned long after Constantine the Great.<sup>3</sup>

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<sup>1</sup> Emperors Leo and Anthemius to Armissius, Pretorian Prefect. In: Codex Justinianus, 1.3.30-31, De episcopis et clericis. Transl. quoted after Fred H. Blume: *Annotated Justinian Code*. Edited by Timothy Kearly. 2<sup>nd</sup> edition. 1.3.30(31)

<sup>2</sup> Justinianus I (born c. 482, emperor 527, died 565): Byzantine emperor. Commissioned the codification of Roman law, the *Corpus Juris Civilis*, which is still the basis of civil law in many modern states.

<sup>3</sup> Constantinus I (c. 272-337): Roman Emperor from 306 to his death

[19] Quo tempore - licet non parum refriguisset caritas, et forsitan non meliores homines illud haberet saeculum quam nostrum - episcopus tamen ad normam requirebatur apostoli. Nec profecto mirum. Sciebat namque Augustus, quam magna esset episcopi dignitas, de cuius sublimitate et excellentia - si pauca pro captu nostro dixerimus - intelligant omnes, quia non vana neque indigna res foret ligare {202v} commissarios juramento. Quod ut brevissime faciam. Non me pudebit iterum atque iterum ad Jeronimum revertisse, cuius ad Heliodorum suum pauca haec, sed praegnantia verba leguntur: *Prudenterque Ennius ait:*

*plebs in hoc regi antestat loco:  
licet lacrimare plebi, regi honeste non licet.*

*Ut regi, sic episcopo, immo minus episcopo quam regi; ille enim nolentibus praeest, iste volentibus.* Quae verba si quis diligenter evolvat, magnum mysterium intra se habent. Aequiperat namque regiae dignitati atque praefert episcopalem, et quod ille inter laicos est, idem vult esse inter clericos episcopum.

## 4. Exaltedness of episcopal office

### 4.1. Bishops have the highest office

[19] At that time<sup>1</sup> charity had not yet grown cold, but maybe men were not better than they are now. Be that as it may, they required bishops in keeping with the standard of the apostle. And by no means surprisingly so! For the emperor knew that the dignity of the bishop is great. For the sake of our own understanding, I shall say a few words about the exaltedness and excellence of this dignity so that all may understand that it is neither unimportant nor unworthy to bind the commissioners by an oath. I shall do that very briefly. I am not ashamed to return to Jerome again and again: a few but signifiant words that he wrote to his Heliodorus are relevant in this context: *Ennius wisely says*:

*The mob has one advantage o'er its king:  
For it may weep while tears for him are shame.*

*If a king may not weep, neither may a bishop; indeed a bishop has still less license than a king. For the king rules over unwilling subjects, the bishop over willing ones.*<sup>2</sup> If you consider these words carefully, they contain a great mystery for he puts the episcopal dignity on the same level as the royal dignity and even gives preference to the episcopal one, and he wants the bishop to have the same status among clerics that the king has among laypeople.

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<sup>1</sup> I.e. at the time of Justinian

<sup>2</sup> Jeronimus: *Epistola ad Heliodorum* (60), 14. MPL, XXII, col. 598

[20] Ostendit exinde, quoniam gratus populo episcopus esse debet. Nec enim aliter potest praeesse<sup>1</sup> volentibus, ideoque sanctissime mos eligendi pastorem extitit introductus, quoniam nemo sibi ingratum eligit. Eapropter cavere<sup>2</sup> commissarii debent, ne pastorem ingratum populo tribuant. Quod si secus efficiant, sciant se non episcopum, sed dominum atque tyrannum creare et omnino adversus praeceptum Christi venientem, qui ait apostolis suis: *Reges gentium dominantur eorum, et qui potestatem habent, domini vocantur. Vos autem non sic, sed qui major est vestrum, fiat sicut puer, et qui princeps est vestrum, fiat sicut minister.*

[21] Tertium est quod doctor illustris inter sua verba Jeronimus cursim et quasi aliud agens inseruit, quia non tantum plorare, verum etiam *lacrimare episcopum* prohibet. Quod licet aliqui floccifaciant<sup>3</sup>, ego in hoc verbo permagnum latere mysterium cerno. Vult namque huiusmodi hominem, qui episcopus sit, lacrimas ignorare. At quid aliud est carere lacrimis, quam omni carere turbatione? Abesse vero turbationem quietum indicat animum, nec quietus cujusquam animus esse potest, nisi prudenter et honeste viventis. Qui ergo illacrimabilem poscit episcopum, quid aliud flagitat quam sapientiae studiis esse deditum? *Sapientia enim*, ut inquit Cicero, *semper eo contenta est, quod adest, nec eam umquam sui poenitet.* Ideoque sola est quae auferre potest episcopo lacrimas. Episcopus ergo nec divitiarum amissionem, nec famae perditionem, nec propinquorum mortem, nec exilium, nec carcerem, nec vincula, nec vulnera, nec se ipsum morti traditum honeste poterit deplorare.

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<sup>1</sup> prodesse HA

<sup>2</sup> em. HA; caveri V

<sup>3</sup> em. HA; flectifaciant cod.

## 4.2. Bishops should be acceptable to the people

[20] Jerome goes on to show that a bishop should be acceptable to the people for he can only be of benefit to people who want him.<sup>1</sup> Therefore the custom of electing the shepherd was introduced, and most properly so, for nobody chooses somebody he does not want. Therefore, the commissioners should take care not to give a shepherd to people who do not want him. If they do otherwise, they should know that they are appointing a lord and a tyrant, not a bishop – in complete defiance of the precept of Christ who says to his apostles: *The kings of the Gentiles lord it over them; and they that have power over them are called lords.*<sup>2</sup> *But you not so: but he that is the greater among you, let him become as the younger: and he that is the leader, as he that serveth.*<sup>3</sup>

## 4.3. Bishops should be of tranquil mind

[21] Thirdly, the illustrious Doctor, Jerome, in passing and as if speaking about something else, forbids the *bishop* not only to lament<sup>4</sup>, but even *to shed tears*.<sup>5</sup> <sup>6</sup> Though some may scoff at this, I myself see a very great mystery in these words. For Jerome wants the man who is a bishop to be without tears. But what is being without tears other than being free of any disturbance. The absence of disturbance indicates a tranquil mind, and a mind can only be tranquil if it lives prudently and decently.<sup>7</sup> Requiring a bishop to be without tears is the same as wanting him to be engaged in the occupations of wisdom. As Cicero says, *wisdom is always contented with its present lot and is never self-repentant.*<sup>8</sup> Therefore wisdom is the only thing that may remove the tears from a bishop. So, a bishop may not, with decency, cry over the loss of riches, the loss of reputation, the death of relatives, exile, imprisonment, chains, wounds or even his own death.

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<sup>1</sup> Jeronimus: *Epistola ad Heliodorum* (60), 14. MPL, XXII, col. 598

<sup>2</sup> The bible text used by Piccolomini has "domini" instead of the usual "benefici" (beneficent)

<sup>3</sup> Luke, 22, 25-26

<sup>4</sup> "plorare"

<sup>5</sup> "lacrimare"

<sup>6</sup> Jeronimus: *Epistola ad Heliodorume* (60), 14. MPL, XXII, col. 599

<sup>7</sup> This is a major theme in Piccolomini's orations "*Si quis me roget*" [2] of 1438 and "*Non est apud me dubium*" [6] of 1445

<sup>8</sup> Cicero: *Tusculanae disputationes*, 5.18.54: *Sapientia enim semper eo contenta est, quod adest, nec eam umquam sui poenitet*

[22] Laudatissimus est Hercules inter veteres ejusque opera divinis poetarum carminibus celebrantur. Perfectiorem tamen episcopum volo, quam ille fuerit. Non decent<sup>1</sup> episcopum illae voces: *O ante victrices<sup>2</sup> manus, o pectora, o<sup>3</sup> terga, o lacertorum<sup>4</sup> tori*, quibus deflere illum Sophocles introducit. Indignus est, quem imitetur sacerdos, apud Hesiodum clamitans Prometheus: *Titanum soboles socia vestri {203r} sanguinis generata caelo, aspiciate religatum asperis junctumque saxis! Saturnius me sic fixit Jupiter*. Nolo his lacrimis madidum esse episcopum, Anaxagoram illi praebeo imitandum, quem ferunt nuntiata morte filii dixisse: *Sciebam me genuisse mortalem*. Sit ejus vultus Socratico similis, quem ferunt uxorem ejus Xantippem numquam vidisse mutatum. Oileum<sup>5</sup> nolo sequatur, qui cum *Thelamonem de morte Ajacis<sup>6</sup> filii consolatus fuisset, interitum proprii<sup>7</sup> nati patienter ferre nescivit; de cujus mutata mente sic apud Sophoclen<sup>8</sup> dicitur: Nec vero tanta praeditus sapientia quisquam est, qui aliorum aerumnam dictis allevans non idem cum fortuna mutata impetum convertit clade, ut subita frangatur sua ut illa ad alios dicta et praecepta excidant.*

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<sup>1</sup> *em.* HA; decens V

<sup>2</sup> *em.* HA; indices V

<sup>3</sup> *em.* HA; et V

<sup>4</sup> *em.* HA; sacerdotum V

<sup>5</sup> *em.* HA; Orleum V

<sup>6</sup> *em.* HA; Axaxis V

<sup>7</sup> *em.* HA; pii *em.* HA

<sup>8</sup> *em.* HA; Sophoden V

[22] Among the ancients, Hercules is highly praised, and his achievements are celebrated in the divine songs of the poets. But I want the bishop to be more perfect than him. These words do not befit a bishop: *O once victorious hands, o breast, o back, o muscles of my arms,*<sup>1</sup> with which Sophocles begins his lament over him. And Prometheus is not worthy of being imitated by a priest, when he cries, in Hesiod<sup>2</sup>: *Offspring of Titans, linked in blood to ours, children of Heaven, see bound to rugged cliffs a prisoner... Jupiter, Saturn's son, thus nailed me here.*<sup>3</sup> I do not want the bishop's face to be moist with such tears. On the contrary, I bid him to imitate Anaxagoras: when he was informed about the death of his son, he reportedly said: *I knew that I had sired a mortal.*<sup>4</sup> Let his face be like Socrates' whom they say that Xantippe, his wife, never saw changed. Let the bishop not follow Oileus who *consoled Telamon about the death of his son, Ajax*, but was unable to bear the death of his own son with equanimity. Thus says Sophocles about his change of mind:

*And there is none of wisdom so possessed,  
Who with mild words has soothed another's woes  
But does not, when a turn of fortune comes,  
Fall broken by his own calamity.  
So words, for others wise, his own need fail.*<sup>5</sup>

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<sup>1</sup> Cicero: *Tusculanae disputationes*, 2.9.21-22

<sup>2</sup> Erroneously for Aischylos

<sup>3</sup> Cicero: *Tusculanae disputationes*, 2.10, 23: ... *vincitumque saxis. Saturnius me sic infixit Jupiter*

<sup>4</sup> Quoted by Jeronimus: *Epistola ad Heliodorum* (60), 5. MPL, XXII, col. 592

<sup>5</sup> Cicero: *Tusculanae disputationes*, 3.29.71: *Telamonem ... de morte Ajacis filii consolatus esset, interitum ... commutata mente* etc.

[23] *Ac sacerdotis Christi os, mens sensusque concordent, quia magister omnium Jesus facere primum coepit ac deinde docere. Et apostoli praeceptum est, ne aliis praedicans ipse inveniatur reprobus. Nimis enim delicatus magister est, qui pleno ventre de jejuniis disputat. Taceo de mansuetudine atque humilitate, qua pollere oportet episcopos. Namque, ut ad Jeronimum redeam, illud etiam – dico - clamat ipse, ut episcopi sacerdotes esse se sciant, non dominos, honorent clericos quasi clericos, ut eis a clericis quasi episcopis honor deferatur. Scitum<sup>1</sup> est illud oratoris Domitii: “Cur ego<sup>2</sup> te, inquit, habeam ut principem, cum tu me non habeas ut senatorem?” Quod Aaron et filios ejus, hoc esse episcopum et presbyteros noverimus. Cordatum quoque ac<sup>3</sup> magni animi oportere episcopum fore quis ambigit, ne vota principum populorumque sequens disciplinam postponat ecclesiae? Habere semper in memoria atque in pectore illud Ambrosii Mediolanensis episcopi debent: *Ego faciam*, inquit ille ad Theodosium, *quod sacerdotis est; quod imperatoris est, faciat imperator; prius est, ut animam mihi quam fidem eripiat*. Meminerit episcopus, quoniam iudex est, et scriptum legimus: *Noli quaerere fieri iudex, nisi valeas virtute irrumpere iniquitatem, ut<sup>4</sup> extimescas faciem potentum et ponas scandalum in agilitate<sup>5</sup> tua.**

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<sup>1</sup> *em.* HA; certum V

<sup>2</sup> *em.* HA; *omit.* V

<sup>3</sup> et HA

<sup>4</sup> ne forte Vulgata

<sup>5</sup> aequitate Vulgata

#### 4.4. Bishops should have courage

[23] *In a priest of Christ, mouth, mind and senses should be at one,*<sup>1</sup> for Jesus, the teacher to all, first acted and afterwards he taught. And a precept of the Apostle says: *Lest perhaps, when I have preached to others, I myself should become a castaway,*<sup>2</sup> like a lover of dainties ... who, with his stomach full, lectures on fasting.<sup>3</sup> I shall pass over the mildness and humility that bishops should have in abundance. I return to Jerome who says that *bishops should know themselves to be priests, not lords. Let them render to the clergy the honour which is their due that the clergy may offer to them the respect which belongs to bishops. There is a witty saying of the orator Domitius which is relevant here: 'Why I am to recognize you as the leader of the Senate when you will not recognize my rights as a private member?'* We should recognize that a bishop and his presbyters are like Aaron and his sons.<sup>4</sup> All know that a bishop should be courageous and spirited so that he will not follow the wishes of the princes and the people and prefer them to the norms of the Church? And in his mind and heart he should always keep the words of Bishop Ambrose of Milan<sup>5</sup> who said to Theodosius<sup>6</sup>: *I shall do what a priest should do. Let the emperor do what an emperor should do. He will take my life before he takes my faith.*<sup>7</sup> Let the bishop remember that he is a judge and that it is written: *Seek not to be made a judge, unless thou have strength enough to extirpate iniquities: lest thou fear the person of the powerful, and lay a stumblingblock for thy integrity.*<sup>8</sup>

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<sup>1</sup> Jeronimus: *Epistola ad Nepotianum* (52), 7. MPL, XXII, col. 533

<sup>2</sup> 1. Corinthians, 9, 27

<sup>3</sup> Jeronimus: *Epistola ad Nepotianum* (52), 7. MPL, XXII, col. 533

<sup>4</sup> *Ibid.*

<sup>5</sup> Ambrosius, Aurelius (340-397): Archbishop of Milan. Doctor of the Church. Saint

<sup>6</sup> Theodosius I [Flavius Theodosius Augustus] (347-393): Roman Emperor from 379 to his death

<sup>7</sup> Ambrosius: *Sermo contra Auxentium de basilicis tradendis*, 18. Piccolomini also used this passage in his oration "*Si quis me roget*" [2] of 1438, sect. 29

<sup>8</sup> Ecclesiasticus, 7, 6

[24] At Chrysippus, notissimae famae philosophus, ut est in Agellio *Noctium Atticarum*, *judicem*, inquit, *qui justitiae antistes est, oportet esse gravem, sanctum, severum, incorruptum, inadulabilem, contraque<sup>1</sup> improbos nocentesque, immisericordem atque inexorabilem erectumque<sup>2</sup> et arduum ac potentem vi et majestate aequitatis veritatis<sup>3</sup> terrificum*. Non debet apud episcopum *pluris esse matrona nobilis atque dives, quam pauper et mendica mulier aut vidua maritali auxilio destituta. Alienum esse a personis omnium sese judicet, nec injustitiam pauperis in judicio defendat, nec gratiae divitum contra indigentes assistat*. Rumusculos vulgi nullatenus aucupetur, ne Dei offensam cum populorum laude permutet, *aut si haec non potest facere, cognitionem respuat causarum solaque sibi lectione et oratione contentus existat, sciens quia neminem diligit dominus nisi eum, qui cum sapientia ambulat*.

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<sup>1</sup> *em.* HA; qui V

<sup>2</sup> *em.* HA; rectumque V

<sup>3</sup> *em.* HA; veritatisque Gellius

#### 4.5. Bishops should be just

[24] In his *Noctes Atticae*, Gellius<sup>1</sup> quotes the famous philosopher Chrysippus as saying: *The judge, who is the priest of justice, ought to be dignified, holy, austere, incorruptible, not susceptible to flattery, pitiless and inexorable towards the wicked and guilty, vigorous, lofty and powerful, terrible by reason of the force and majesty of equity and truth.*<sup>2</sup> The bishop should not have greater regard for a noble and rich matron than for a poor beggarwoman or a widow without the assistance of a husband. He must consider himself to be a stranger to all others and he should not favour the rich over the poor.<sup>3</sup> He should not seek to be in the public eye, but should be concerned about not offending God rather than about being popular. *Or if he is not able to do that he should avoid taking on legal cases and instead be content with reading and prayer, knowing that the Lord loves no one more than he who walks in wisdom.*<sup>4</sup>

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<sup>1</sup> Gellius, Aulus (c.125-180): Roman author and grammarian

<sup>2</sup> Gellius: *Noctes atticae*, 14.4.3

<sup>3</sup> Pseudo-Jeronimus, *Introductio*. MPL, XXX, col. 150

<sup>4</sup> *Ibid.*

[25] Ostendi quodammodo faciem ipsam et qualitatem episcoporum quos, uti cernitis, mundos esse ac sine criminibus oportet. Quod si quis arduum putat nimiumque difficile, meminerit – obsecro - quod supra dixi, vicem apostolorum tenere episcopos, ut apud Jeronimum scribitur: *Episcopi et presbyteri habeant in exemplum apostolos et apostolicos viros, quorum honorem possidentes habere nitantur et meritum*. At nunc majus aliquid dicam, nec putaverim me errare Jeronimi nostri verba sequentem. Audite – obsecro - admirabile verbum, praebeat mihi aures, si quis hic est sanctae synodi adversarius, attende, qui prohibes plenarias indulgentias sacrum concilium dare! *De hoc officio*, inquit Jeronimus, *amplius disputare non est necesse, quoniam quidquid in clericis consecratum esse praedixi, episcopum solum habere manifestum est; in illis esse partes et membra virtutum, in episcopo plenitudinem divinitatis corporaliter habitare. Atque ita est, ut in episcopo dominum, in presbyteris apostolos, qui et ipsi sunt, recognoscas*. En auctoritatem auream! Jeronimus iste est ad Damasum de gradibus sacerdotalibus.

[26] Jeronimo fidem, non mihi adhibete! Nec enim semel ut per errorem ex ore suo hoc excidit, iterum replicat sic dicens: *Ideo in fossariis spiritus prophetarum prophetis subjectus est<sup>1</sup>, in ostiariis doctores, in lectoribus prophetae, in subdiaconis<sup>2</sup> angeli, qui interpretantur, in diaconis<sup>3</sup> archangelis, in presbyteris apostoli, in episcopis Deus*. Imperitissimi concilii hostes ista non legerant aut tam clari doctoris auctoritate postposita ad injuriam sanctae synodi, in qua non unus, sed plures episcopi sunt, suam rabiem contulerunt. Deum igitur - ut est dictum - nobis episcopi repraesentant, ut agnoscamus nullum esse hominum genus, nullam terram, nullam gentem, quae non his propter Deum jubeatur servire. Ob quas causas omni studio est enitendum, ut tales ordinentur episcopi, qui fidem teneant, dominum praedicent, salutem annuntient, ac pro nobis orare non dedignentur. *Sint, opto*, inquit Jeronimus, *si possint meliores patribus suis, erudiant semetipsos, castigant atque benedicant, electionem in opere compleant, {204r} et opus in electione multiplicent. Ne faciant irritam gratiam Dei*.

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<sup>1</sup> *em.* HA; subjecti sunt V

<sup>2</sup> *em.*; subdiaconibus V

<sup>3</sup> *em.*; diaconibus V

#### 4.6. Bishops have divine authority

[25] I have now shown what the character and the quality of bishops should be. As you see, they should be pure and without crime. If anyone thinks that this is harsh and too difficult, then let him remember - I pray - what I said above concerning the bishops holding the place of the apostles. As written by Jerome: *Let the bishops and presbyters take for their examples the apostles and their companions; as they hold the rank which these once held, let them endeavour to exhibit the same excellencies.*<sup>1</sup> But now I shall say something else that is important, and as I follow the words of our Jerome, I believe that I am not in error. Hear - I ask you - this admirable passage, and if an adversary of this Holy Synod is present who thinks that a Holy Council cannot issue plenary indulgences, then let him pay attention.<sup>2</sup> For Jerome says: *It is not necessary to discuss this office*<sup>3</sup> *further, for it is clear that the bishop in himself has all that which has been consecrated in clerics, as I have said above. In the clerics are the parts and members of the virtues, but in the bishop the divine plenitude is present corporeally. And therefore you should recognize the Lord*<sup>4</sup> *in the bishop, the apostles in the priests, for they are them!*<sup>5</sup> Oh, golden authority! This is what Jerome says to Damasus<sup>6</sup> concerning the degrees of priesthood.

[26] Heed Jerome, do not heed me! For he does not say this only once, as if by error, nay he repeats himself, saying: *Thus, in the gravediggers is the spirit of the prophets, the ostiaries represent the doctors of the Church, the lectors the prophets, the subdeacons the angels, the deacons the archangels, the priests the apostles, and the bishops represent God.*<sup>7</sup> This the uneducated enemies of the Council have not read, or else they have decided to ignore the authority of this famous doctor of the Church in order to give free rein to their rabid opposition to the Council where there are not just one, but many bishops. Since - as we have said - the bishops represent God, we must acknowledge that every race, every country, every people<sup>8</sup> is commanded to serve them because of God. Therefore, we must by all means endeavour only to ordain such bishops who are true to the Faith, who preach the Lord, who announce salvation, and who do not disdain to pray for us. *I wish for them, Jerome says, to be better than their fathers, to educate themselves, to chastise and to bless, achieve the work they were elected to do and to let their achievements grow manifold, so that they will not provoke the merciful God."*

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<sup>1</sup> Jeronimus: *Epistola ad Paulinum* (58), 5. MPL, XXII, col. 581. This passage was also used by Piccolomini in his oration "*Si quis me roget*" [2] of 1438, sect. 14

<sup>2</sup> A major bone of contention between Pope Eugenius IV and the Council of Basel had been whether the pope or the council had the authority to issue indulgences. Piccolomini here sides with the council

<sup>3</sup> I.e. the episcopal office

<sup>4</sup> I.e. Jesus Christ

<sup>5</sup> Pseudo-Jeronimus, 7. MPL, XXX, col. 158

<sup>6</sup> The Pseudo-Jerome letter was not addressed to Pope Damasus, who was in fact a correspondent of Jerome, but it may have been so in the text available to Piccolomini

<sup>7</sup> Pseudo-Jeronimus, 7. MPL, XXX, col. 159. Pseudo-Jerome here lists the 7 Holy Orders according to a system used in the early Church, and since modified

<sup>8</sup> Note the rhetorical device of repetition (anaphora), which Piccolomini used quite frequently

[27] Cavendum quoque est, ne novi homines ad dignitatem huiusmodi assumantur, qui libros ignorent, ecclesiasticam consuetudinem nesciant, et prius doctores gentium dici velint, quam didicerint esse discipuli. *Concurrunt enim ad ecclesiam populi de sacerdote novo aliquid audituri; quale tunc erit* – obsecro - patres, *judicium de episcopo, cum interrogatus nihil dixerit ac meliores se laicos scientiae agnitione vel vitae integritate intra ecclesiam reppererit? Non sine causa scriptum est, ut nemini cito imponantur manus, et ut probentur primo et sic ministrent sine crimine constituti.*

[28] Altissima est haec dignitas episcopalis, supremus ordo auctoritasque praecipua, ad cuius rei cognitionem plenissimam ultimo loco et in calce sermonis nostri Jeronimum jam vobis familiarem benigne accipite: *Septimus autem, inquit ipse, in his dispensationibus episcopalis est ordo, qui et primus et perfectus<sup>1</sup> in cunctis est, qui omnipotentia domini et Christi donatur, ex quo processus omnium gloriarum et plenitudo virtutum est, ex quo omnia, et per quem omnia, et cuius omnia. Ipse enim ordinat sacerdotes, ipse levitas, ipse subdiaconos, ipse lectores, ipse ostiarios, ipse fossarios, ipse arundinem tenens metitur Jerusalem. Ipse fabricae Dei praeest, ipse quid unusquisque facere debeat ostendit, ipse damnat, ipse recipit, ipse ligat, ipse solvit, ipse claves regni caelorum habet, ipse thronum Dei reserat et claudit, supra se nihil habens. Si humilis et bonus sit, perfectus, ut scriptum est, si observans omnia, si hospitalis, si sine crimine, si habens testimonium bonum, si unius mulieris vir, id est si sua tantum carne contentus est, alicubi corporis illecebram non quaerat, filios habens subditos in castitate, in sobrietate, quia peccare in operibus non debet, qui in lectione perfectus est, hujus sacerdotalis vestis perfecta Dei gloria est, ad hunc pertinet totum, quia ipse<sup>2</sup> Christus Christorum, id est sanctus sanctorum, et episcopus animarum. Scriptum est: ‘Nolite tangere Christos meos et in prophetis meis nolite malignari.’ Huic summa a cunctis clericis atque omni populo deferenda reverentia est.*

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<sup>1</sup> em. HA; profectus V

<sup>2</sup> est add. V

[27] We must also take care not to grant this dignity to new men, and to those who neglect books, who do not know the customs of the Church, and who would like to be called teachers of the people before they have even learnt to be students themselves. *For many people flock to the church to hear something from a new priest.*<sup>1</sup> Fathers - I ask - *what will they think about a bishop who is able to say nothing when being asked a question,*<sup>2</sup> and who, in his own church, finds laypeople with better education and greater integrity of life? With good reason it is written that *you should not impose hands lightly upon any man,*<sup>3</sup> and *let them first be proved: and so let them minister, having no crime.*<sup>4</sup>

[28] Exalted is the episcopal office. It is the highest order, of eminent authority. So that you may understand this completely, I ask you to listen kindly, here at the end of our speech, to Jerome, who is by now quite familiar to you: *The seventh order is the episcopal order that is first and perfect in all regards. It is bestowed through the omnipotence of Our Lord and Christ, from whom comes all glory and the plenitude of virtue. From him are all things, through him are all things, and his are all things. For the bishop ordains priests, levites<sup>5</sup>, subdeacons, lectors, gatekeepers, and gravediggers, he holds the measuring stick and measures Jerusalem. He is in charge of God's works<sup>6</sup>; he shows what everybody should do; he condemns; he accepts; he binds; he looses;<sup>7</sup> he has the keys to the Kingdom of Heaven; he opens and closes the access to God's throne; he has nothing above him. If he is humble, good, and perfect, as is written, if he fulfills his religious duties, if he is given to hospitality, if he is without crime, if he has a good reputation, if he is the husband of one wife, being content with the flesh of his own and not seeking bodily allurements anywhere else, if he has his children in subjection with all chastity and sobriety<sup>8</sup> – for he should not be sinning in his works - and if he is accomplished in reading, then his priestly vestments reflect the perfect glory of God, and everything belongs to him. For he is the Christ of Christs, the saint of saints, and the bishop of souls. It is written: Touch not my anointed: and do no evil to my prophets.<sup>9</sup> To him all clerics and the whole people owe reverence.”<sup>10</sup>*

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<sup>1</sup> Pseudo-Jeronimus, 7. MPL, XXX, col. 160

<sup>2</sup> *Ibid.*

<sup>3</sup> 1. Timothy, 5, 22: *manus cito nemini imposueris*

<sup>4</sup> 1. Timothy, 3, 10

<sup>5</sup> I.e. deacons

<sup>6</sup> "fabrica"

<sup>7</sup> Matthew, 16, 19

<sup>8</sup> Cf. 1. Timothy, 3, 2-4

<sup>9</sup> 1. Chronicles, 16, 22

<sup>10</sup> Pseudo-Jeronimus, 7. MPL, XXX, col. 158

[29] Ex quibus Jeronimi verbis non solum habemus, quanta sit dignitas, sed aperte monemur, quia<sup>1</sup> non omnes sine delectu creare debemus episcopos. Quae res praecipue XII viros ad dandum supradictum avisamentum movit, ut scilicet commissariorum iuramentum ambitiones multorum postulantium {204v} refrenaret, nec tam larga pateret ad episcopatum via. Quod monitum utrum recte sacra illa et praestantissimis patribus referta deputatio pacis non dicam impedierit, neque enim suffragia petita sunt, sed utrum bene neglexerit ipsa videat. Fecerunt XII viri, quod ad eos pertinuit. Monstrarunt vobis vulnera, quibus esset medendum. Ea si putrescere sinitis, non culpa eorum est, sed illorum, quos supra retuli paucorum impediendum.

[30] Nunc vero illud tantum commoneo, ut si non placet avisamentum nec jurare commisarios vultis, ad minus provideatis, ne peiores vestrae quam domini Eugenii aut alterius papae promotiones dijudicentur, neve in episcopis vestris accidat, quod Romae quondam in consulibus evenit, ubi cum *Ventidius* quidam *Bassus*, *qui curandis mulis solitus* fuerat iudicare, ad consularem dignitatem pervenisset, ita Romanus populus aegre tulit, *ut vulgo per vias urbis*, sicut Agellius refert, *versiculi praescriberentur: Concurrite omnes augures, haruspices<sup>2</sup>! Portentum inusitatum conflatum est recens. Nam mulas, qui fricabat, consul factus est.*

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<sup>1</sup> *em.* HA; qui V

<sup>2</sup> *em.*; auruspices V

## 5. Conclusion: Careful selection of bishops

[29] From these words of Jerome we see not only how great the episcopal dignity is, but we are also clearly admonished to appoint bishops through careful selection. For this reason The Twelve moved the aforesaid recommendation so that the oath of the commissioners would restrain the ambitions of the many candidates, and the road to the episcopacy be not so broad. The Holy Deputation on Peace, composed of eminent Fathers, must itself consider whether it has done right in neglecting this recommendation (I do not say that they blocked it, since they did not vote on it). For their part, The Twelve have fulfilled their own obligation and shown the wounds to be healed. If you let them fester, it is not the fault of The Twelve, but of those few aforementioned persons opposing the measure.

[30] In case you do not approve the recommendation nor wish the commissioners to take an oath, I urge you to at least ensure that your appointments may not be considered as inferior to those made by Lord Eugenius or any other pope. May that not happen to your bishops which once happened to the consuls in Rome: when a certain Ventidius *Bassus*,<sup>1</sup> *who had made a living as a muleteer*, gained consular office, the Roman populace took it so ill that, according to Gellius, *these verses were posted everywhere about the streets of the City: Assemble, soothsayers and augurs all! A portent strange has taken place. For he who carried mules is consul now.*<sup>2</sup>

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<sup>1</sup> Publius Ventidius Bassus: Roman general, protégé of Julius Caesar. His family were from Picenum. He was captured during the Social War and brought to Rome where he worked as a muleteer before he joined the army

<sup>2</sup> Gellius, 15.4.3

**(Orations of Pope Pius II; 5)**

**Oration “*Si putarem*” of Enea Silvio Piccolomini (4 April 1444, Wiener Neustadt). Edited and translated by Michael von Cotta-Schönberg**

**Preliminary edition, 6<sup>th</sup> version**

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## **Abstract**

When the See of Freising in Bavaria fell vacant in August 1443, there were two candidates for the succession: Heinrich Schlick, brother of the imperial chancellor, the powerful Kaspar Schlick, and Johann Grünwalder, the illegitimate son of a Bavarian duke and one of the cardinals of antipope Felix V. The matter was examined at a hearing before Emperor Friedrich III in Wiener Neustadt, on 4 April 1444. Johann Grünwalder spoke for himself, and the chancellor for his brother. The chancellor's speech was largely written by his protégé, Enea Silvio Piccolomini of the Imperial Chancery. In his speech, he put forward a number of political and legal reasons for appointing his brother. He also made a spirited defense of papal supremacy, against the Council of Basel, and argued in favour of ending German Neutrality between pope and Council and of full German recognition of Pope Eugenius.

## **Keywords**

Enea Silvio Piccolomini; Aeneas Silvius; Aeneas Sylvius; Pope Pius II; Papa Pio II; Emperor Frederick III (Habsburg); Kaiser Friedrich III (Habsburg); Kaspar Schlick; Freising Bishopric; Council of Basel; Council of Basle; Pope Eugenius IV; Pope Eugene IV; Papa Eugenio IV; German neutrality; Renaissance orations; Renaissance oratory; Renaissance rhetorics; Johann Grünwalder; Heinrich Schlick; Freisinger Bistumsstreit

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# I. INTRODUCTION

## 1. Context<sup>1</sup>

The final break between Pope Eugenius IV and the Council of Basel occurred in January 1438 when the pope transferred the Council to the Italian town of Ferrara, thereby effectively closing the Council in Basel. The Council in Ferrara, later Florence, was a resounding success for the Papacy, resulting in a – short-lived - union between the Western and the Eastern Churches. Political events in Italy further strengthened Eugenius's position.

The Council in Basel, however, refused to be transferred or dissolved and continued as a council not recognized by the pope. Its first reaction to the opening of the Council in Ferrara was to suspend the pope, and the following year, in 1439, it deposed him as heretic and schismatic and elected a new pope, Felix V. The previous Council of Konstanz (1414-1418) had ended a schism in the Church, whereas the Council of Basel created a new one.

The state of schism opened the way for local interests to profit by playing the two popes with their papal administrations and the Council against each other, but it also created confusion and intolerable uncertainties, for instance in the very important area of filling vacant church offices, when each party made its own appointment.

The European powers and churches therefore reacted negatively to the state of schism and within a few years they almost all recognized Eugenius as the legitimate pope.<sup>2</sup> The exceptions were a Bavarian duke and the Duchy of Savoy, unsurprisingly, since the antipope, Felix, had been the Duke of Savoy, now ruled by his son.

The German nation, however, invented its own solution. On 17 March 1438, at a meeting in Frankfurt, it declared a state of Neutrality (also referred to as a *Suspensio animorum*) vis-à-vis Pope Eugenius and the Council of Basel (hereafter referred to as German Neutrality). And on 26 March 1439, in Mainz, it formally accepted the decrees of the Council of Basel from its legitimate period, however not without modifications and some very important exceptions, i.e. the suspension and deposition of Pope Eugenius<sup>3</sup> (hereafter referred to as the Acceptation).<sup>4</sup>

Formally, the state of Neutrality lasted until the German nation declared its obedience to Pope Eugenius in February 1447 and the Concordat of Vienna of 1448.

In November 1442, a *rapprochement* between the pope and the Holy Roman (German) Empire was set in motion when the emperor sent two of his counsellors, Kaspar Schlick and Ulrich

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<sup>1</sup> Helmrath: *Basler*, pp. 192 ff.; Helmrath: *The Empire*, p. 426; Mass, I, pp. 297-315; Müller, pp. 396-404; Stieber, 216, 262-265, 310; Sudmann, pp. 130-138; Toews, pp. 165-166; Voigt, II, pp. 308-321

<sup>2</sup> Stieber, p. 190

<sup>3</sup> Cf. the notarial instrument in RTA, XIV, p. 110-111. Here Germany followed France where King Charles VII had, in July 1438, decreed the so-called Pragmatic Sanction of Bourges, thus establishing the basis for a national Gallican Church

<sup>4</sup> Stieber, p. 190

Sonnenberger, to the pope, at the time residing in Florence.<sup>1</sup> Both men were known to favour the cause of the pope rather than that of the Council. Their mission was, ostensibly, to request the holding of a new council, which the pope rejected.<sup>2</sup> However, an understanding was established between the pope and Kaspar Schlick that Schlick would promote the papal cause at the Imperial Court and his brother be appointed bishop when a bishopric in the German sphere fell vacant – possibly Schlick was already at that time eyeing the See of Freising whose bishop, Nicodemo della Scala, was ailing.<sup>3</sup>

When the envoys returned to the Imperial Court in January 1443, Kaspar Schlick, who had been active at the Imperial Court of Friedrich III since July 1440,<sup>4</sup> was appointed Chancellor of the Empire.<sup>5</sup> According to Stieber and to other historians, this appointment clearly signaled a reversal of imperial policy and a move away from German Neutrality, the recognition of Pope Eugenius, and the abandonment of the Council of Basel. Hufnagel, however, believes that the King was still effectively neutral, and that Schlick only somewhat later began to publicly support Eugenius's case. Only in the beginning of 1444, the Imperial Court began to actively, but slowly prepare for the recognition of Eugenius.<sup>6</sup>

Among the decrees of the Council accepted by the German nation in 1439 was the decree on capitular election of bishops.<sup>7</sup>

In a laudable effort to reform the procedures of appointing bishops to vacant sees, the Council had decreed that the appointment of bishops should be based on elections by cathedral chapters, to be approved by the metropolitan,<sup>8</sup> and to become effective through a papal letter of provision.<sup>9</sup> However, it had also stipulated that the pope could refuse the candidate of the chapter, but only for an essential reason that must be stated specifically in the papal letter. Recourse could presumably be had to a council while it was sitting, but during ordinary times, without a council, the government of the Church had to be able to function and specifically to intervene in cases of flawed elections, e.g. in cases of proven simony.

Two conciliar decrees had not been accepted by the Germans in 1439, i.e. the decrees suspending and deposing Pope Eugenius. The Germans thereby, from the best motives, created a conundrum: if Eugenius was still the legitimate pope, then whose authority should be obeyed: that of the pope or that of the Council?

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<sup>1</sup> Hufnagel, pp. 291-294

<sup>2</sup> Stieber, pp. 248-250

<sup>3</sup> Hufnagel, pp. 293-294, 300, 334; Stieber, p. 261-262; Voigt, II, p. 309

<sup>4</sup> Hufnagel, p. 274

<sup>5</sup> Hufnagel, p. 294

<sup>6</sup> Stieber, p. 251. See also, however, Hufnagel, p. 297, 303, 307

<sup>7</sup> The decree *Quemadmodum in construenda domo*, of 13 July 1433 (Session XII). COD, pp. 469-472

<sup>8</sup> The archbishop to whose archdiocese the diocese belonged

<sup>9</sup> i.e. appointment

The problem was especially great with regard to the provision of bishops to vacant sees. The German princes and prelates, in practice, frequently disregarded the Neutrality and had recourse to Pope Eugenius, or to the Council and its antipope, Felix, whoever best served their interests. However, in those cases where the pope and the Council had each appointed their own candidate, problems arose which could become quite serious if the two candidates had powerful backers.

Such a case arose when Bishop Nicodemo della Scala<sup>1</sup> of Freising finally died, on 13 August 1443, and the See of Freising fell vacant. Freising was an important see, located in Bavaria, but with most of its properties and castles in Austrian territory.<sup>2</sup> Its incumbent was a Prince of the Empire and member of the emperor's council, and moreover it yielded substantial incomes and held a number of castles. It was thus a political, financial, and military entity of some importance, and to the dukes of Austria and to the emperors, as well as to the dukes of Bavaria the appointment of its bishops was a political matter of great significance.<sup>3</sup>

There were two candidates to the See. One was Heinrich Schlick, brother of the powerful Imperial Chancellor, Kaspar Schlick. Apart from being the chancellor's brother, he does not seem to have had any special qualifications for an important episcopal office.<sup>4</sup>

The other was Johann Grünwalder, an illegitimate son of the Bavarian Duke, Johann of Bayern-München.<sup>5</sup> He was already Vicar General of the Diocese of Freising and had been active at the Council of Basel, which he supported against Pope Eugenius. He had been appointed cardinal by Felix, the antipope, who in this way strengthened his ties with the House of Bavaria.

Already during Nicodemo's final illness, the chancellor had secured the emperor's support for his brother, and at the news of Nicodemo's death he initiated a campaign for the appointment of his brother through letters addressed both to the pope, to the Council of Basel, to the Chapter of Freising, and to the Bavarian dukes.<sup>6</sup> The emperor even sent an envoy, Hartung Kappel, to the Council to present his request for the appointment of Heinrich Schlick.<sup>7</sup>

In his letter to the pope, written for him by Piccolomini three days after Nicodemo's death in Vienna, i.e. on 16 August 1443, the chancellor informed the pope that the emperor had already written to the canons of Freising asking them to elect Heinrich Schlick, but for safety's sake he asked the pope to fulfil his former promises and appoint his brother as Bishop of Freising: *For your Holiness knows*

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<sup>1</sup> Mass, I, pp. 296 ff.

<sup>2</sup> This was not an extraordinary case, cf. Piccolomini: *Historia Austriacis* (Sarnowsky), I, 3: [transl.] *Austria does not have its own bishopric, but the dioceses of Salzburg, Freising, Regensburg, and Passau have many cities, well-fortified castles, and extensive possessions in Austria (Ecclesia cathedralis in Austria nulla est, verum Salzburgensis, Frisingensis, Ratisponensis, Pataviensis oppida quamplurima et arces munitissimas latissimasque possessiones in Austria possident)*

<sup>3</sup> Hufnagel, p. 335

<sup>4</sup> Voigt, II, p. 311

<sup>5</sup> Mass, I, 297

<sup>6</sup> Hufnagel, p. 335

<sup>7</sup> Voigt, II, p. 312

*how often you told me that when the occasion arose you would gladly appoint my brother to a cathedral church.*<sup>1</sup> Similar letters were sent to some of the cardinals.

On 12 September 1444<sup>2</sup> the pope, in the papal consistory,<sup>3</sup> appointed Heinrich Schlick Bishop of Freising. He did so by virtue of his general powers of reservation of episcopal offices,<sup>4</sup> notwithstanding the conciliar decrees to the opposite effect.

The following day, on 13 September 1443, the Chapter of Freising elected Johann Grünwalder bishop. His election was quickly confirmed by the metropolitan, the Archbishop of Salzburg, who had himself been appointed by the Council and not by the pope.

On 10 October 1443, Grünwalder entered Freising in triumph, was received as its bishop, and took over the administration of the diocese and its Bavarian possessions. He also managed to get possession of some of the castles belonging to the diocese situated in Austrian territories.<sup>5</sup>

In the middle of October, the chancellor received letters from friends at the Papal Court informing him that the pope had appointed his brother Bishop of Freising. He immediately had Piccolomini write a fulsome letter of thanks to the pope, promising him to be of continued service to him. He also informed the pope that Grünwalder had already been elected by the Chapter of Freising – by threats, entreaties, and rewards,<sup>6</sup> and had been confirmed by the Archbishop of Salzburg, and he therefore requested that the papal letters of appointment of Henrich Schlick be sent to him as speedily as possible.<sup>7</sup> Again, similar letters were sent to the cardinals.

Yielding to Austrian pressure, the archbishop afterwards refused to consecrate Grünwalder as bishop.<sup>8</sup> Therefore, on 21 December 1444, Grünwalder appealed to the Council.<sup>9</sup> As Grünwalder had been a loyal and prominent member of the Council itself and a staunch defender of its rights vis-à-vis the pope, the Council was naturally inclined towards Grünwalder, as was antipope Felix, who was actively promoting his alliance with the German princes and the House of Bavaria. However, opposing the imperial candidate meant that the Council, which was by this time rapidly losing support from the European rulers, risked losing the precious support of the emperor, too.

On 11 January 1444, the long awaited papal letters of appointment of Henrich Schlick finally arrived at the Imperial Court.

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<sup>1</sup> WO, I, II, p. 60, letter 30: *Scit enim vestra beatitudo, quotiens mihi dixerit, quod adveniente casu libentissime fratrem meum ad aliquam cathedralem promoveret ecclesiam*

<sup>2</sup> At this time Eugenius IV was still in Siena. He left that city shortly afterwards and arrived back in Rome on 24 September, after an exile of 10 years

<sup>3</sup> The pope with the cardinals

<sup>4</sup> Meuthen, p. 462

<sup>5</sup> Cf. Mass, I, pp. 310-311

<sup>6</sup> *Per minas, preces, et premia*: terms reused by Piccolomini in the oration of 4 April 1444

<sup>7</sup> WO, I, II, pp. 99-100, letter 53

<sup>8</sup> Meuthen, p. 462

<sup>9</sup> Voigt, II, p. 314

And on 21 February, the Council – in a highly dramatic General Congregation – decided to postpone the matter, though a majority was clearly in favour of the appointment of Grünwalder.<sup>1</sup> They did not then understand how greatly their opposition against the imperial chancellor would damage them.<sup>2</sup>

The appointment of the Bishop of Freising had by now become an important affair at the Imperial Court, containing at least four ingredients: the appointment of the bishop, the power struggle between court factions,<sup>3</sup> since the chancellor had important enemies at court,<sup>4</sup> relations with Bavaria, and the matter of the German Neutrality.

During the chancellor's frequent absences from court, the matter was conducted on his behalf by his protégé, Enea Silvio Piccolomini, who had joined the Imperial Chancery only a year before the death of Nicodemo. Both Piccolomini and Schlick had known Nicodemo well, Piccolomini as one-time secretary,<sup>5</sup> and Schlick as a court colleague. Piccolomini must also have known Grünwalder from the time when they were both active at the Council, and also later, at the court of the antipope, whose secretary Piccolomini was for a period.

Some German historians consider that Piccolomini did not play a very honourable role in this whole affair. Voigt talks about a "Ränkespiel" (game of intrigues), "Machinationen", and "Intriguen",<sup>6</sup> and Mass denounces it in these words: *Der Freisinger Bischofsstreit wurde zu einem trüben, von Opportunismus gezeichnetem Kapitel in der Geschichte des bekannten und späteren Papstes Pius II.*<sup>7</sup> This would appear to be an exaggeration: in this whole affair, Piccolomini had simply been charged with defending the interests of his master in the Imperial Chancery. Obviously there was an element of opportunism in his actions. However, fights over bishoprics were quite common at that time, and in this case it was conducted within the strict framework of legality – though with some of that spicy invective so characteristic of Italian humanism. The great opportunists in the affair were the chancellor himself and Grünwalder. The role of Piccolomini was that of a young, talented secretary fighting for his master and deploying all the bureaucratic and literary talents at his disposal - not

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<sup>1</sup> Meuthen, p. 462

<sup>2</sup> Hufnagel, p. 330

<sup>3</sup> Indeed, some years later Ulrich von Eyczing accused Johann Ungnad, a high official at the Imperial Court and a chief opponent of the chancellor, of having "sold" the See of Freising to Johann Grünwalder, i.e. by supporting his claim and opposing the claim of the chancellor - for money. Cf. Piccolomini: *Historia Austriacalis* (Sarnowsky), VI, 5: [transl.] *What shall we say about the Church of Freising that you sold to Johann Grünwalder, betraying that important and excellent light of your court, the chancellor Kaspar (Quid de Frisingensi ecclesia dixerimus, quam Johanni de Viridi Silva vendidisti summumque illum et excellentissimum vestrae curiae lumen Gasparem cancellarium prodidisti)*. Cf. Hufnagel's remarks on Ungnad, p. 288

<sup>4</sup> Voigt, II, p. 316

<sup>5</sup> 1432-1433

<sup>6</sup> Voigt, II, pp. 308, 310, 320; see also Hufnagel, p. 337

<sup>7</sup> Mass, I, p. 311

forgetting his connections at the Papal Court,<sup>1</sup> though the chancellor's own connections were, actually, much better.

Concerning the chancellor's accusations of simony and threats against Grünwalder, Voigt points out that they were never proven.<sup>2</sup> But the chancellor dared raise them, publicly, in the middle of the Imperial Court and before the emperor, and given the practices of the time they would not have appeared unlikely, though few at court might really have cared.

Both Henrich Schlick, appointed by Pope Eugenius, and Johann Grünwalder, elected by the Cathedral Chapter of Freising in defiance of the emperor's wishes, were now requesting to be invested by the emperor with the "regalia", i.e. the temporal rights of the diocese. The matter was referred to a court hearing held in Wiener Neustadt on 4 April 1444.<sup>3</sup> At the hearing, Johann Grünwalder spoke first, and afterwards the chancellor, on behalf of his brother.<sup>4</sup>

From Quintilian and Cicero, Piccolomini knew about the classical, Aristotelian division of speeches into three genres: the panegyric, the deliberative and the judicial.<sup>5</sup> The oration "*Si putarem*" clearly belongs to the judicial genre as it dealt with a legal case (who is the legitimate Bishop of Freising?) and was presented at a hearing before the emperor and his council.

A draft of the speech had been written in the chancellor's absence by Piccolomini – in Latin. It was held by the chancellor in German, after a speedy translation into German and – most probably - a co-operative revision.

In a letter of 8 June 1444 to a friend in Rome, Giovanni Campisio, Piccolomini wrote about the speech:

*A short time ago, during the month of March, I came to this place [the city of Wiener Neustadt], following the Court as usual, and here I saw something remarkable and worth telling. Before that, I had not heard orations in Germany like those that were once delivered before the rostra<sup>6</sup> in Rome. Johann of Bavaria, one of the so-called cardinals of Felix, having the title-church of Saint Martin, arrived [at Court]. He claimed that he had been elected Bishop of Freising by the cathedral chapter and asked to be given the regalia by the emperor. But Heinrich, the brother of the chancellor, had already been appointed bishop of that diocese by Eugenius. Both of them asked for possession of the castles of the diocese situated in the lands of Austria. Johann speaks for himself and cries as he speaks. The cause of the absent Heinrich is defended by his brother, the chancellor. It seemed to me that I was seeing Ajax and Ulysses debating at the Argolian*

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<sup>1</sup> E.g. Cardinal Cesarini and Cardinal Berardi, through the Cardinal's secretary, Giovanni Campisio, a close friend of Piccolomini, see letter from Campisio of 13 November 1444, in: *Epistolarium*, no. 95, pp. 198-200

<sup>2</sup> Voigt, II, p. 311

<sup>3</sup> Hufnagel, p. 342 ff

<sup>4</sup> Voigt, II, pp. 317 ff; Meuthen, p. 462

<sup>5</sup> Cicero: *De inventione*, I, 7; Quintilianus: *Institutio oratorica*, III, 3, 13

<sup>6</sup> Speakers' platforms

ships.<sup>1</sup> If you had been present, you would have likened Johann to Ajax and the chancellor to Ulysses. Their orations were much alike, except that the [orations of cardinal and chancellor] were in German whereas the orations of [Ajax and Ulysses], which must have been delivered in Greek, have been translated from Greek to Latin by Ovid. The oration of the chancellor was outstanding, and the most elegant, and of the kind that you would expect from a Ciceronian or a Quintilian. But I admit that he was favoured both by the talents gifted to him by nature and by the experience he had gained [in the service] of emperors Sigismund and Albrecht. For he was the chancellor of both of them and had heard many eloquent men plead their case before them. Those men he now imitated. With the help of friends who interpreted [the sense of the German text] I have translated the oration that I am sending to you now for your critical appraisal. I ask you to let me have your judgment; if there are any faults, please ascribe them to the translator rather than to the speaker.<sup>2</sup>

As it might not be wise to have it bandied about, and especially not in Rome, that international center of gossip, that the chancellor's speech had been co-authored by a lowly secretary, Piccolomini did not explicitly state his contribution to the speech, but pretended that he had only translated it into Latin. Campisio presumably fully understood his meaning.

Nonetheless, Voigt has this – characteristically caustic – comment: *Und diese Rede hatte er in des Canzlers Abwesenheit selber verfertigt. Nur um das beifällige Urtheil Campisio's ganz als ein unbefangenes geniessen zu können, verleugnete der eitle Mann seine Autorschaft.*<sup>3</sup>

Actually, Piccolomini might have had quite another reason than vanity for sending the speech to Campisio. At the time, Campisio was in the service of an influential cardinal, Archbishop Berardi of Taranto, which meant that Piccolomini possessed a line of communication with the Curia through Campisio. It had already functioned previously in the affair of Freising, and sending the oration to

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<sup>1</sup> Cf. Helmrath: *Reichstagsreden*, p. 125: *Und so werden die konziliaren Redekämpfer Panormitanus und Aleman geradezu folgerichtig zu den Kriegshelden Achill und Hektor, später im Freisinger Bistumsstreit 1444 die Kontrahenten Kaspar Schlick (für seinen Bruder Heinrich) und Johann Grünwalder zu Odysseus und Ajax. Der Wortkampf um die Waffen des Achill, in Rom Übungsthema der Rhetorenschulen, war von Ovid im XIII. Buch der 'Metamorphosen' zu einem Musterspiel rhetorischer Suasorie geworden*

<sup>2</sup> *Epistolarium*, p. 296: *Hic dum Martio mense, qui modo preteriit, ex consuetudine sequerer curiam, rem miram et relatu dignam sum contemplatus. Nam quod antea non putaram apud Germanos fieri orationes sicut olim Rome pro rostris fiebant, coram cesare audiui. Uenit Iohannes Bauarus, unus ex cardinalibus (ut aiunt) Felicis; Sancti Martini cognomentum habet. hic se per capitulum frisingensis ecclesie in episcopum dicebat electum darique sibi regalia per cesarem postulabat. iam Gasparis Slik cancellarii frater Henricus illi ecclesie per Eugenium prefectus erat. Petit uterque castrorum possessionem, que in dominiis Austriae sunt. Iohannes pro se dicit et inter orandum lacrimas miscet. Henrici causam cancellarius suscipit absentemque fratrem tuetur. uisus sum apud argolicas naues Aiaceum atque Ulixem contententes videre. si affuisses Iohannem Aiacei, Ulixem cancellarium adequasses. haud dissimules orationes fuere, nisi quod he theutunice, illas Ouidius latinis fecit, quas constat grecas fuisse. mira cancellarii fuit oratio et longe ornatior quam ex uiro Ciceronis et Quintiliani nescio expectari deberet. sed agnosco naturam illi fauisse, tum usum, quem cum Sigismundo et Alberto cesaribus habuit, nature dotis iuuisse. fuit enim illorum cancellarius multosque uiros disertos orare causam coram illis uidit, quos nunc imitatus est. eius orationem, ut te iudicante probetur, interpretantibus amicis in latinum verti tibi que transmitto. rogo tuum iudicium mihi rescribas et, si quod est vitium, interpreti potius quam oratori ascribas*

<sup>3</sup> Voigt, II, p. 319

Campisio would quite probably be a way of informing the Curia and the pope of how the matter was progressing and, more especially, of the chancellor's spirited defense of the pope at the Imperial Court – and of Piccolomini's own contribution, naturally.

Piccolomini does not mention the oration or indeed the whole Freising affair in his *Commentarii*, nor are they mentioned in the biographies of Campano and Platina. Given the importance of the affair, this silence is quite remarkable: maybe Pius was, after all, embarrassed by his role in the matter or by its outcome.

The oration delivered by the chancellor was only partly successful and only in the short run. Johann Grünwalder was finally confirmed by the Council on 13 November 1444<sup>1</sup> and remained in actual possession of the See and its Bavarian possessions.

As for Henrich Schlick, he figures in the lists of the Prince-bishops of Freising, from 1444-1448, but he was never consecrated as bishop, he never gained possession of the church itself and its possessions in Bavaria, and the emperor did not invest him with the regalia.

In 1448, the emperor dropped the cause of Heinrich Schlick who withdrew. The pope, now Nicolaus V, and Grünwalder were reconciled, and the pope confirmed the appointment of Johann Grünwalder. Schlick was given a pension of 1.000 Hungarian ducats and the Burg Rotenfels in Styria.<sup>2</sup> Grünwalder was formally invested with the regalia by the emperor and was hereafter recognized by everybody as Prince-bishop of Freising.<sup>3</sup>

Schlick's brother, the chancellor, retired from the court at the same time and withdrew to his possessions. A short time later he died. The Freising affair presumably had something to do with this development,<sup>4</sup> but on the other hand the chancellor's ecclesiastical policies had been quite successful. Historians often speak about the "fall" of the chancellor, but Hufnagel believed that the emperor and his chancellor were effectively reconciled after a difficult period in connection with the demission of Heinrich Schlick and the imperial recognition of Johann Grünwalder as Bishop of Freising.<sup>5</sup>

The affair of Freising had become connected with the development of the ecclesiastical policies of the emperor, now beginning to move away from German Neutrality to full recognition of the pope, approximately three years later. The chancellor's brash defense of supreme papal authority is - at this early stage - quite remarkable. His claim that the emperor, too, supports Eugenius's cause, stated openly in the Imperial Court, appears to have been somewhat premature and impolitic, and it may have been inserted into the text or given a more forceful expression after the delivery of the

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<sup>1</sup> Meuthen, p. 462

<sup>2</sup> Mass, I, p. 312

<sup>3</sup> *Ibid.*

<sup>4</sup> Voigt, II, p. 319

<sup>5</sup> Hufnagel, p. 447-451

speech - as a means of impressing and influencing the Curia to favour Schlick – and Piccolomini himself!

## 2. Themes

Apart from the introduction and the conclusion, the oration is divided into two main parts: the first deals with the political aspects of the matter, the second with the legal.

The **political arguments** for recognizing Heinrich Schlick as the lawful Bishop of Freising were the following:

- It is in the emperor's own interest that episcopal sees owning castles in Austrian territories should be given to bishops loyal to the emperor.
- Accepting the capitular election against the emperor's declared wishes would set a bad example for others and incite disloyal subjects to rebellion.
- By rewarding his servants, *in casu* his own chancellor, the emperor gains their loyalty and support.
- German Neutrality between Pope Eugenius and the Council of Basel is not an impediment to the appointment of the papal candidate, Henrich Schlick, since the conciliar candidate, Johann Grünwalder himself, has neither supported nor observed the Neutrality.
- In providing bishops for vacant dioceses, German Neutrality cannot always be observed, and indeed all the German princes have at times disregarded the Neutrality.
- There is no real risk of a military conflict with Bavaria over this matter, since the dukes of Bavaria, relatives of Johann Grünwalder, would not go to war for a matter of this nature.

The **legal arguments** for recognizing Heinrich Schlick as the lawful Bishop of Freising, as presented in relation to God, Pope Eugenius, the Council of Basel, and the emperor himself, were the following:

- Johann Grünwalder is personally unfit for office because of his ambitious character, whereas Henrich Schlick is not ambitious and otherwise has the qualities required of a bishop.
- The election of Johann Grünwalder is invalid because of simoniacal practices and undue pressures exerted on the members of the cathedral chapter, whereas the appointment of Henrich Schlick was made by the irreproachable decision of the pope in consistory.

- The confirmation of Johann Grünwalder by the Archbishop of Salzburg is illegal because the archbishop himself had been confirmed by the council not recognized by the pope.
- Pope Eugenius is considered to be legitimate by the German Nation since it has not accepted his deposition by the council and there can only be one pope.
- Thus the antipope, Felix, is a schismatic and so are the cardinals appointed by him, like Johann Grünwalder, who is therefore excommunicate and ineligible for episcopal office.
- Though the German Nation has accepted a number of decrees of the council, including the one concerning election of bishops by the cathedral chapters, these decrees are not binding on the pope, and moreover the council itself has, in a number of cases, not observed its own decree. Therefore, that decree cannot prevent the pope from appointing Heinrich Schlick.
- And even if the decree is considered to be valid, it gives the pope the right to reject a capitular election for weighty reasons (like simony). In such cases, the pope must state those reasons explicitly and in writing. That he had not done so in the present case may have been for a perfectly good reason that could not very well be stated in the letter. And anyway the omission is a trifling matter in view of the pope's supreme authority.

## **2.1. Who is the legitimate Bishop of Freising?**

The principal theme of the oration was of course the question of who was the legitimate Bishop of Freising, Henrich Schlick or Johann Grünwalder?

The chancellor defends the cause of his brother firstly by demonstrating the political expedience of appointing a supporter of the emperor and by proving the legal validity of his appointment by the pope, and secondly by proving the invalidity of the election of Johann Grünwalder.

The political line of reasoning was quite sensible, as seen from the Imperial Court. The Bavarians, in whose territories the Church of Freising and some of its possessions were situated, could adduce similar reasons for appointing Grünwalder, but as chancellor of the emperor, Kaspar Schlick would naturally have to promote the emperor's interest.

Proving the validity of the papal appointment of Henrich Schlick and the invalidity of the appointment of Johann Grünwalder was more difficult due to the complications of German Neutrality and Acceptation of the conciliar decrees.

The Germans had accepted the conciliar decree on election of bishops by cathedral chapters and confirmation of elected candidates by the metropolitan archbishops. From a German viewpoint

there was therefore no reason for the pope to make his own appointment of the Bishop of Freising. The criticism contained in the oration of cathedral chapters and the praise of the College of Cardinals would therefore have been irrelevant.

Thus, it was difficult to prove the validity of the papal appointment of Heinrich Schlick to an audience which had accepted the conciliar decree on capitular elections, in this case ignored by the pope.

However, the conciliar decree, as stated in the oration, contained an exception: the pope could annul a capitular election for grave reason and on the condition of stating the reason specifically and in writing. The invalidity of the election or of the confirmation by the metropolitan would be a perfectly good reason.

It was therefore quite important for the chancellor to prove the invalidity of Grünwalder's election and of the subsequent confirmation by the metropolitan, the Archbishop of Salzburg. He endeavoured to do so by accusing Grünwalder of winning the election through simony (vote-buying) and threats, something which would clearly invalidate the election. These claims on the part of the chancellor may or may not have been true, but in any case they were never proven.

Secondly, the chancellor argued that the confirmation by the archbishop was invalid since the archbishop himself had been confirmed by the Council of Basel, something that was in contravention of Neutrality, forbidding recourse both to pope and Council. This argument would not have been quite convincing since some church authority would evidently have to confirm the appointment of the archbishop: this case was therefore one in which Neutrality could not be observed – as Piccolomini himself states. The argument that the Council itself was no longer a lawful council would, after all, not be acceptable to the Germans who had recognized it.

Thirdly, the chancellor argued, Grünwalder's election was not valid because he was a schismatic. The Germans had in fact accepted that Pope Eugenius was the legitimate pope. Since there could only be one pope, the council's Pope Felix was a schismatic, and so would Felix' cardinals be, including Grünwalder. This argument is quite logical and should have been convincing.

However, the ecclesiastical situation of Germany was by now hopelessly confused.

The Germans had declared their Neutrality and had accepted the conciliar decrees, yet they continued to recognize Pope Eugenius as the legitimate pope and tried valiantly to obtain some compromise between pope and Council. But their efforts were in vain, and the pope and the Council both considered and declared the other party's claim to be illegitimate.

The conundrum was so great that the whole argumentation in the case became just so much legal - and probably to most of the audience quite tedious - wrangling. No evident course presented itself to the emperor who, quite characteristically, and possibly cleverly, chose procrastination and half-measures.

## 2.2. German neutrality

By this time, the emperor and the Imperial Court had started the move towards full recognition of Pope Eugenius.

In his speech, the chancellor gives a strong defense of papal supremacy and the need for the Germans to recognise the pope as the rest of the Christian world had done.

It is doubtful, however, whether the chancellor expressed himself so strongly in the speech as delivered as he does in the final version of the oration, sent to the Papal Court by Piccolomini.

Still the oration may be seen as the first public testimony to the shift of the Imperial Court from Neutrality to full recognition of the pope.<sup>1</sup>

## 2.3. Qualities required of candidates for episcopal office

After the suspension of the pope in January 1438, the Council had begun to appoint bishops in stead of the suspended pope, and it therefore became necessary to establish procedures for such appointments and to consider the qualities required in bishops. As a ranking official of the Council and a member of the Committee of Twelve, the Council's coordinating body, Piccolomini in 1438 gave an oration to the Council, "*Si ea quae justa*" [4], demanding quite rigorous procedures in the selection of candidates for episcopal office and exacting high moral standards and personal qualities of bishops. He had also touched on such qualities in his sermon on Saint Ambrose, "*Si quis me roget*" [5], given to the council earlier in the same year.

The "*Si putarem*" echoes these earlier orations and especially emphasises that ambition is unacceptable in those men who would be bishop. Whether Henrich Schlick had character enough to be ambitious is unknown and uncertain, it was his brother's ambitions that pushed him forwards, as the chancellor openly states. But the portrayal of Grünwalder as an ambitious person, pursuing episcopal office with great determination, was difficult to refute, though the emperor and his court would probably not have cared over-much, ambition being a fundamental ingredient of court life and public careers.

## 2.4. Rewarding high officials

To the modern mind, the concept that the brother of a high-ranking government official should be appointed to an office as a way of rewarding that official seems quite nepotistic and smacks of corruption. But conditions were different then, and the chancellor quite unabashedly demanded

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<sup>1</sup> Hufnagel, p. 308

the appointment of his brother as a form of imperial recompensation of his own – and even his father’s – services. He even claimed that such an appointment would reassure the emperor’s courtiers that the emperor was keen to reward them, thus ensuring their loyalty.

## 2.5. Piccolomini’s conversion from conciliarism to papalism

Much has been made of Piccolomini’s conversion from the cause of the Council to the cause of pope Eugenius. It was, however, nothing out of the ordinary, more or less everybody did the same at some point. And two luminaries of the period, Cardinal Cesarini and Cardinal Cues, one a mentor and the second a later colleague and friend of Piccolomini, had done so, as Grünwalder himself would eventually do. And though opportunism may have played its part, it is difficult to see that Piccolomini would have been more opportunistic than the others who underwent the same conversion.

Since there seems to be no doubt of the genuine authorship or co-authorship of Piccolomini with regard to the oration of 4 April 1444, the statements in that oration may be taken as indicative of Piccolomini’s own attitudes at that date.

In the oration, the speaker says:

*Therefore, not only has Eugenius not merited to be deposed, but if he was not already pope already, he – most of all – is the one who should be entrusted with the Roman See and the government of Saint Peter’s ship. And I know that you, Caesar, do not feel otherwise, though some men whisper differently in your ears, men who should care not for their own advantage, but for yours, and who should advise you not to maintain the Neutrality, but to obey the pope, whom the whole multitude of believers follow. They should tell you to do as the other Christian kings, and not as the Bavarians. [Sect. 38]*

And in his conclusion he quotes the famous text from the *Decretals of Pseudo-Isidore*:

*The Lord made the Apostolic See the hinge and head, and it is not dependent on anybody else. And just as the door is ruled by the hinge thus, as the Lord has ordained, all the churches are governed by the authority of this Holy See. [Sect. 41]*

Only a year later, Piccolomini was formally reconciled with Eugenius and officially passed into the papal camp.

So, the oration “*Si putarem*”, of 4 April 1444, may be reasonably considered the *terminus ante quem* of Piccolomini’s conversion to the papal cause.<sup>1</sup>

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<sup>1</sup> Emily O’Brien wrote: *According to its most basic definition, Aeneas was unquestionably a papalist by 1445: he had renounced the doctrine of conciliar supremacy and had condemned the Council of Basel’s claim to legitimacy. There is also no question that he began at that point to defend papal sovereignty in various capacities against conciliar demands*

What is the *terminus post quem*?

A letter from Piccolomini to his colleague and friend in the Imperial Chancery, Kappel von Hartung, may provide the answer. Wolkan gives the date as April 1443. In the letter, Piccolomini describes a discussion between himself, Hartung von Kappel, and another person from court. Whereas the other two criticized German Neutrality and defended papal supremacy over the Council, Piccolomini defended the opposite standpoint. He wrote:

*Concerning the second point [i.e. papal supremacy] I presented a completely contrary viewpoint, saying that in all disagreements between the pope and the Council, the judgment of the Council should be preferred.<sup>1</sup>*

In a later letter of 13 November 1443, to Juan Carvajal, envoy of Pope Eugenius but not yet a cardinal, he started to vacillate. Carvajal had asked him for his opinions on a number of points that, according to Carvajal, militated in the favour of Pope Eugenius. On all the specific points Piccolomini presented his own vigorous counter-arguments. But, quite significantly, he ends the letter with the words:

*Him I will accept [as pope] ... whom the universal Church agrees on, provided he has the acceptance of Germany which forms the major part of the Christian world. Personally, I am in doubt; mentally I am ready to listen to the common judgment [of Christianity], and in matters of Faith I shall not trust myself alone.<sup>2</sup>*

In conclusion, during the year from April 1443 to April 1444 Piccolomini finally, if not publicly, converted from the conciliar cause to the papal. This conclusion is supported by a passage in Piccolomini's letter of retraction to the rector of the University of Cologne of 13 August 1447 in which he wrote that he had converted to the papal cause three years before being appointed Bishop of Trieste, on 19 April 1447: *Ego equidem annis tribus ante pontificatum mihi delatum conversus sum.*<sup>3</sup> It is worth noting that the oration "*Si putarem*" was delivered on 4 April 1444, almost exactly three years before the appointment to Trieste.

What was the role of the affair of Freising in that conversion and what were his motives?

Evidently, the Freising matter forced Piccolomini to reconsider his ideas concerning the pope and the Council. He could not very well be loyal to the emperor and his chancellor, beginning to move towards a full recognition of the pope, if he maintained his own previous conciliarist position.

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(O'Brien, p. 62). As seen, Piccolomini's conversion to papalism took place at least a year before. His later orations and writings must be seen in this light and as expressions of official positions he had to present and defend as an imperial diplomat and a representative of the emperor and the Holy Empire

<sup>1</sup> WO, I, I, p. 133: *Ad secundum vero conclusionem emisi omnino contrariam, dicens, in omni re, de qua papa conciliumque contenderent, preponendam fore sententiam concilii*

<sup>2</sup> Epistolarium, no. 92, p. 195: *Hunc geram ... quem universalis ecclesie consensus dederit, dum Germania, que orbis christiani maior pars est, heret. Dubius sum, parato tamen animo sum communi sententie auscultare. Nec mihi in rebus fidei soli credam*

<sup>3</sup> WO, II, p. 57

He was surrounded by people believing in the papal cause, and a number of his admired mentors and friends, from cardinals to colleagues, had passed to and were now firmly on the papal side, which in itself must have given him cause for reflection, see sect. 38.

He disposed of texts, i.e. the *Decretals of Pseudo-Isidore*, that seemed clearly to prove papal supremacy. That these texts were early medieval forgeries he evidently did not know.<sup>1</sup>

He was also severely disillusioned by the Council and by antipope, Felix. The dealings of the Council with the issue of reunion with the Greek Church had been grotesque and lamentable.<sup>2</sup> The Council had failed to accept the recommendations of the Twelve concerning the appointment of bishops that Piccolomini had himself written and presented in 1438/1439. The Council's failure to respect the interests and advice of the emperor both in the matter of the schism and in the matter of the Freising affair itself had been a serious disappointment. And the failure of the Council and of antipope Felix to promote Piccolomini's interests by granting him benefices, he bitterly resented.

On the other hand, he had for a number of years passionately believed in the conciliar cause and defended it in speech and writings.

So, he was in doubt and did not really know what to do.

In this state of mind he resolved to follow the "judgment of the Universal Church", as he wrote to Carvajal. This is the basis of the advice to the emperor, in sect. 38 of the "*Si putarem*", to follow the examples of the rest of the Christian world and the other princes. And this is what he did himself.<sup>3</sup>

So, there is no reason to doubt Piccolomini's sincerity when, a year afterwards, in Rome, he says to Pope Eugenius:

*I confess that when I realized the error of the Council, I did not immediately fly to your side, as many did. Instead ... I aligned myself with those who were considered neutral, so as not to switch from one extreme to another without time for reflection. Therefore I stayed three years with the emperor, where I heard more and more of the dispute between the Council and your legates, till finally there remained not a shadow of doubt that the truth was on your side... Now I stand before you and, because I sinned in ignorance, I beg your forgiveness."*<sup>4</sup>

However, notwithstanding the quite plausible sincerity of Piccolomini's switch to the papal side, this was also an opportunistic move.<sup>5</sup>

Piccolomini, undoubtedly on the advice of his master, mentor, and friend, Chancellor Schlick, had by now concluded that his best chances of a career was not at the Imperial Court, where his position

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<sup>1</sup> See e.g. Canning, p. 51

<sup>2</sup> See Piccolomini's letter to Piero da Noceto of 21 May 1437. In: *Epistolarium*, letter 24, pp. 61-74

<sup>3</sup> See Baldi: *Il cardinale*, p. 31: *Gli avvenimenti sembrano fatti per incidere, per segnare una vera e propria "svolta" nella vita del Piccolomini*

<sup>4</sup> CO, I, 13 (Meserve, I, pp. 56-57). Oration "*Prius sanctissime praesul*" [7]

<sup>5</sup> See Voigt, II, pp. 247-307

as a penurious person without important family connections and with only scant knowledge of German would most likely remain that of a clever secretary and talented writer of Latin letters. In the Church, by contrast, a splendid career would be open to him, though at this point his ambition would not have gone further than becoming a bishop. As a bishop he could become an important imperial or papal official. And his sexual desires (and powers!) that had previously, to his honour, held him back from an ecclesiastical career were now rapidly diminishing.

It is hard to believe that such considerations were absent from Piccolomini's mind as he grappled with the great questions of the Church.

So, when all comes to all, his conversion to the papal cause was at the same time a sincere response to developments in the Church and a splendid career move. One does not exclude the other.<sup>1</sup>

### 3. Authorship

To what extent the available text is identical with the speech as given in German by the chancellor is unclear. The chancellor was an excellent speaker himself who knew quite well how to write and deliver an oration.<sup>2</sup> But being absent from court for extended periods during this time, he would have appreciated or even requested Piccolomini preparing a draft since he had apparently charged Piccolomini with the Freising matter. It was written in Latin during his absence, and would quite likely have been revised by him when he returned to the Court,<sup>3</sup> in connection with its translation into German. And after the oration was delivered, Piccolomini would almost certainly have gone over the Latin text once again and polished it as he saw fit. Among other changes he would have written a new introduction (with clever quotes from Ennius, Jerome, and Cicero) based on the tears of Grünwalder, since he could not very well have foreseen Grünwalder's crying during his own speech when he drafted the chancellor's.<sup>4</sup>

The text contains a number of repetitive statements, obscurities, and inconsistencies at variance with Piccolomini's usually quite stringent structuring of his orations. This may indicate that the text was put together quite hastily and afterwards revised in cooperation with the chancellor whose – necessary - input would have been integrated into the text as best possible. After the delivery of the speech, Piccolomini gave it a polish, focusing on style, but presumably not too much on content and structure since, after all, the oration had already been presented at a proper, judicial court hearing.

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<sup>1</sup> As was the case with the political and personal interests of his admired mentor, Kaspar Schlick, about whom Hufnagel writes (p. 277): *Wie wir schon sahen und oft noch bemerken werden, hatte Schlick eine seltene Fertigkeit politische Konstellationen oder seine Missionen zugleich in persönlichen Interesse auszubeuten*

<sup>2</sup> Hufnagel, p. 258. Piccolomini's admiration for the chancellor's delivery of the oration may therefore have been genuine

<sup>3</sup> This was a procedure they also followed in connection with the chancellor's official, Latin correspondence, see Hufnagel, p. 421

<sup>4</sup> On the question of the authorship, see also Hufnagel, pp. 343-344

However, some elements, i.e. the assertion that the emperor supported Eugenius, may have been added or given greater emphasis with the Papal Court in mind.<sup>1</sup>

To conclude, in structure and content the text presented below is probably close to the speech as given by the chancellor, but certain elements may have been added or deleted, and the style and vocabulary would have given a final polish.

How much of the text derives from Piccolomini and how much from the chancellor is difficult to determine: a number of expressions and quotations are quite clearly Piccolomini's and were been used by him in previous and later orations. Others seem to reflect the chancellor's personal experience, e.g. events dating from the period of the two previous emperors.

The uninhibited glee at presenting a clinching argument, for instance concerning Heinrich Grünwalder's status as a schismatic, would quite possibly have been a sentiment shared by the two fathers of the text.

#### **4. Date, place, format and audience**

Voigt gives the date as March 1444,<sup>2</sup> and Genzsch and Meuthen more precisely as 4 April 1444.<sup>3</sup> The later date has been retained in the present edition.

The oration was delivered during a hearing in the emperor's presence at the Imperial Court in Wiener Neustadt.

It is clearly a formal oration and is designated as such in Piccolomini's own letter to Giovanni Campisio (*mira cancellarii fuit oratio*).

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<sup>1</sup> Hufnagel, p. 344

<sup>2</sup> Voigt, II, p. 317

<sup>3</sup> Meuthen, p. 462

## 5. Text<sup>1</sup>

### 5.1. Manuscripts<sup>2</sup>

The oration was not included in the *Collected Orations of Pius II* from 1462.

Presently, it is known to be extant in three manuscripts:

- **Leipzig / Universitätsbibliothek**  
951, ff. 230r-237v (**L**)
- **München / Bayerische Staatsbibliothek**  
clm 70, ff. 277v-285v (**B**)\*  
clm 14134, ff. 282v-289v (**A**)

### 5.2. Editions

The oration was not known to Mansi in the 1750s when he published his collection of Pius' orations, and indeed it appears not to have been published previously.

### 5.3. Present edition

For principles of edition (incl. orthography) and translation, see *Collected Orations of Pope Pius II*, vol. 1, ch. 9-10.

*Text:*

The text is based on all three listed manuscripts with the clm 14134 (**A**) as the lead manuscript.

*Pagination:*

Pagination is from A.

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<sup>1</sup> For the textual transmission of Pius II's, see *Collected Orations of Pope Pius II*, vol. 1, ch. 5

<sup>2</sup> Manuscripts for which an orthographical profile is given in *Collected orations of Pope Pius II*, vol. 11, are marked with an asterisk



Horatius	1 <sup>1</sup>
Juvenalis	3
Vergilius	1 <sup>2</sup>
<b>All</b>	<b>13</b>

#### **Patristic and medieval sources**

Decretum Grariani	7
Hieronimus	7 <sup>3</sup>
Martinus de Braga	1
<b>All</b>	<b>15</b>

#### **Contemporary sources**

Council of Basel	6
<b>All</b>	<b>6</b>

Among the quotations from the *Decretum Gratiani* are some quotations from the *Decretals of Pseudo-Isidore*. These decretals were a forgery of early ecclesiastical documents and letters, dating from the second quarter of the 9<sup>th</sup> century, that had found its way into the ecclesiastical decretals of the Middle Age and through them into the *Decretum*.

In the oration, the chancellor claimed to have a copy of the decretals in his own chambers. This claim is somewhat surprising. It is more likely that Piccolomini had had access to them during his time in Basel and made a copy of important passages for use in his own later writings. Obviously, neither the chancellor nor Piccolomini – or anybody else, at that time - were aware that the decretals were a forgery.

They were also used by Piccolomini in his sermon to the people of Haspach, *Non est apud me dubium*, sect. 93, two years later.

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<sup>1</sup> Satirae

<sup>2</sup> Aeneis

<sup>3</sup> Epistolae

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<sup>1</sup> <http://www.synaxis.org/cf/volume29/>

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<sup>1</sup> <http://www.pseudoisidor.mgh.de/>

## 7. Sigla and abbreviations

**A** = München / Bayerische Staatsbibliothek / CLM 14134

**B** = München / Bayerische Staatsbibliothek / CLM 70

**L** = Leipzig / Universitätsbibliothek / 951

### Abbreviations

**CO** = Pius II: *Commentarii rerum memorabilium quae suis temporibus contigerunt* [1464]

**HA** = Eneas Silvius Piccolomini: *Historia Austriacalis*. Teil 1: Einleitung von Martin Wagendorfer. 1. Redaktion ed. von Julia Knödler. Teil 2: 2./3, ed. Martin Wagendorfer. 2 vols. Hannover, 2009. (Monumenta Germaniae Historica. Scriptores Rerum Germanicarum. Nova Series; 24)

**HB** = Aeneas Silvius Piccolomini: *Historia Bohemica*. Herausg. J. Hejnic & H. Rothe. 2 vols. Köln, 2005. (Bausteine zur slavischen Philologie und Kulturgeschichte. Neue Folge. Reihe B; 20)

**MA** = Pius II: *Orationes politicae et ecclesiasticae*. Ed. Giovanni Domenico Mansi. 3 vols. Lucca: Benedini, 1755-1759

**MPL** = Migne, Jacques-Paul: *Patrologia latina*. 217 vols. 1841-1865

**RTA** = Deutsche Reichstagsakten

**WO** = *Der Briefwechsel des Eneas Silvius Piccolomini*. Hrsg. von Rudolf Wolkan. 3 vols. Wien, 1909-1918. (Fontes rerum Austriacarum, 2 / 61, 62, 67, 68)

**Decretum** = *Decretum magistri Gratiani*. Ed. Lipsiensis secunda. Eds. A.L. Richter & A. Friedberg. 2 vols. Leipzig, 1879

**Epistolarium** = Eneas Silvii Piccolominei *Epistolarium Saeculare*. Ed. A. van Heck. Città del Vaticano, 2007. (Studi e testi; 439)

**Rainaldus** = *Annales ecclesiastici ab anno MCXCVIII ubi Card. Baronius desinit*. Auct. Odoricus Raynaldus. Tom. XVIII-XIX. Roma: Varesius, 1659-1663

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## II. TEXT AND TRANSLATION

## Oratio Casparis Schlick habita coram rege pro fratre suo in episcopum Frisingensem promovendo latine versa per Aeneam Sylvium<sup>1 2</sup>

[1] {282r} Si putarem apud te, gloriosissime Caesar<sup>3</sup>, meliorem lacrimis atque ploratibus quam justitiae locum esse, tunderem jam pectora palmis et aduncis genas lacerarem {282v} unguis, lacrimarer, plorarem et advolutus genibus tuis ingentes singultus traherem magnisque tum fletibus, tum suspiriis obsecrarem, ut mei germani causam susciperes commendatam. Sed novi ego rectitudinem animi tui. Novi constantiam, gravitatem, religionem. Scio quod apud te nil magis quam justitia, quam veritas, quam ratio valet. Ideo praetermissis lacrimis, quae mulieres quam<sup>4</sup> viros decent, absentis germani mei causam non fletu, sed veritate tuebor. *In hoc*, inquit Ennius<sup>5</sup>, *loco plebs regi antestat: licet lacrimari plebi, regi honeste non licet*<sup>6</sup>. *Ut regi sic episcopo*, dicit Jeronimus. Quo fit, ut<sup>7</sup> adversarium nostrum valde demirer, qui ante solium tuum quasi muliercula quaedam lacrimatus est. Sed mos reorum est<sup>8</sup>, ut postquam se tueri aliter<sup>9</sup> nequeunt, venari misericordiam lacrimis studeant. Iudices vero, qui, ut Cicero dicit, legum similes esse debent, non humidos<sup>10</sup> oculos, sed consona verbis facta respiciunt. Idem quoque - sicuti arbitror - et tu, Caesar, facies in hoc iudicio Frisingensis pontificatus: non rigatas lacrimis genas, sed plena justitiae verba considerabis.

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<sup>1</sup> **B**; Title written in margin by later hand **A**; Oratio Casparis Slick **L** [written in margin in same hand as the main text]

<sup>2</sup> Oratio ... Sylvium : Persuasio ut Germanus Cancellarii Episcopatum Frisingensem nancisci possit et de scismate et neutralitate. Caspar Slik illustrissimo principi Friderico de<sup>2</sup> gratia Romanorum regi semper Augusto **A**

<sup>3</sup> princeps **L**

<sup>4</sup> quoque **A**

<sup>5</sup> in hoc ... Ennius : inquit enim Ennius in hoc **L**

<sup>6</sup> honeste non licet : non licet honeste **L**

<sup>7</sup> *omit.* **B**

<sup>8</sup> reorum est : est reorum **L**

<sup>9</sup> se tueri aliter : aliter se tueri **L**

<sup>10</sup> humiles **L**

# Oration of Kaspar Schlick held before the king, on the appointment of his brother as Bishop of Freising. Translated into Latin by Aeneas Sylvius

## 0. Introduction

[1] Most glorious Emperor, if I thought that you put tears and crying above justice, I would now beat my breast with my fists and scratch my face with crooked nails; I would be crying and sobbing; and, prostrate before you, I would be wailing and sighing in order to make you look favourably upon the cause of my brother. But I know your integrity, your steadfastness, your seriousness and your piety.<sup>1</sup> I know that you prefer nothing to justice, truth, and reason. Therefore, omitting the tears that become women more than men, I shall defend the cause of my absent brother not with tears, but with truth. For according to Ennius,<sup>2</sup>

*The mob has one advantage o'er its king:  
For it may weep while tears for him are shame.*

*If a king may not weep, neither may a bishop,* adds Jerome.<sup>3</sup> Therefore, I marvel greatly at our opponent crying before your throne, as a weak little woman. It is customary, indeed, for defendants who cannot defend themselves in other ways to seek mercy through tears. However, as Cicero<sup>4</sup> says, judges should be like the laws and not consider tearful eyes, but the harmony between words and deeds.<sup>5</sup> This is what I believe that you, Caesar, will do in the present trial concerning the See of Freising: you will not consider faces wet with tears, but words full of justice.

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<sup>1</sup> "religio"

<sup>2</sup> Ennius, Quintus (ca. 239 – ca. 169 BC): Roman writer, often considered the father of Roman poetry

<sup>3</sup> Jeronimus: *Epistola ad Heliodorum* (60), 14. MPL, XXII, col. 598. Translation quoted after JL

<sup>4</sup> Cicero, Marcus Tullius (106-43 BC): Roman statesman and author

<sup>5</sup> Quotation not identified

[2] Agimus nunc quisnam Frisingensi praesit ecclesiae: meus frater an Johannes Bavarus, quem de Viridi<sup>1</sup> Silva nuncupant. Hic ante me locutus est. Dicit electum se per capitulum, confirmatum per archiepiscopum, concilii<sup>2</sup> decreta in suum favorem sonare, quae natio nostra Maguntiae suscepit. Clipeum quoque sibi ex neutralitate conficit. Petit arces ecclesiae sibi tradi et assignari regalia. Idem et frater meus expostulat, quem non canonicorum confusio, sed grave et solidum apostolicae sedis iudicium delegit. Te nunc utri<sup>3</sup> faveas videre oportet. Causam suam Johannes tamquam in foro peroravit. Ego, qui unus tuorum consiliariorum<sup>4</sup> dicor tibi que sum juratus, non velut in iudicio causidicus, sed ut consularis<sup>5</sup> in senatu et germani partes defendam, et quid te facere par sit ostendere conabor. Atque ne longius vager, duo mihi in hac causa videntur consideranda, quae ambo in fratris mei favorem consonant: quid liceat, et<sup>6</sup> quid expediat. Expedientiam prius videbimus, de licito cum iustitia cognoscemus.

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<sup>1</sup> nitida B

<sup>2</sup> consilii L

<sup>3</sup> viri L

<sup>4</sup> tuorum consiliariorum : consiliariorum tuorum L

<sup>5</sup> consularis B

<sup>6</sup> *omit.* L

[2] The issue before us today is who should become Bishop of Freising: my brother or Johann of Bavaria, whom they call Grünwalder. He spoke before me and said that he had been elected by the Cathedral chapter<sup>1</sup> and confirmed by the archbishop,<sup>2</sup> and that his case is supported by conciliar decrees accepted by our nation in Mainz.<sup>3</sup> He also used the Neutrality [of the German Nation] as a shield. He requested that the fortresses of the Church [of Freising] be entrusted to him and that he be given the *regalia*.<sup>4</sup> My brother requests the same: he has not been elected by bewildered canons, but by the considered and solid judgement of the Apostolic See. You must now choose whom to favour. Johann pleaded his cause as if he was speaking in public. I who am one of your sworn counsellors shall not be speaking as a lawyer at a trial, but as a consular member of the senate. I shall defend my brother's cause and endeavour to show what you may reasonably do. And going directly to the matter, there are two issues to consider in this case: that which is expedient, and that which is right. Both are in my brother's favour. First we shall be looking at that which is expedient, and then at that which is right, i.e. just.

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<sup>1</sup> The Cathedral Chapter of Freising

<sup>2</sup> Friedrich IV. Truchsess von Emmerberg (d. 1452): Archbishop of Salzburg from 1441 to his death

<sup>3</sup> The Acceptation of Mainz, 1439

<sup>4</sup> I.e. the secular rights and possessions of the diocese of Freising

[3] Quis est, qui neget tua plurimum interesse, ut ecclesiis de<sup>1</sup> arbitrio tuo<sup>2</sup> provideatur, quae inter tua dominia possident<sup>3</sup> arces? Quis suadebit in tuis territoriis, ut praelatum recipias, qui tibi vel infidelis vel despectus<sup>4</sup> vel contentiosus existat. Nil horum Johanni ascribo; tu tuos vicinos nosti.

*Inter finitimos, inquit Juvenalis, semper fuit aequa simultas,  
immortale odium, et numquam sanabile vulnus.*

Cavendum estne *mus nutriatus in pera vel agnus in<sup>5</sup> sinu*? Castra Frisingensis ecclesiae in limitibus sunt tuae ditionis. Nisi probatae fidei sit episcopus, magnum incidere discrimen potes. Illud planum est: si hunc, qui te alium petenti<sup>6</sup> fuit electus, admiseris, portam aperies omnibus capitulis, ut tuis partibus postergatis non qui tibi morigerus, sed qui eorum conformis sit moribus eligatur<sup>7</sup>. Nec in Frisinga umquam nec in Patavia vel alibi praelatus ex tua sententia fiet, sed tibi et tuis posteris episcopi<sup>8</sup> dabuntur invitis, {283r} quosque praecipue nolletis<sup>9</sup>, recipere consiliarios et vestris arcanis admittere<sup>10</sup> compellemini. Hoc veritus antecessor tuus Albertus, antequam Sigismundo succederet, septem annis in ecclesia Pataviensi lites tenuit, nec umquam cessit, nisi postquam ex sua sententia concordatum est.

---

<sup>1</sup> ex B, L

<sup>2</sup> *omit.* L

<sup>3</sup> possides A

<sup>4</sup> despectus *corr.* ex suspectus L

<sup>5</sup> *omit.* L

<sup>6</sup> potenti L

<sup>7</sup> eligant L

<sup>8</sup> *omit.* B

<sup>9</sup> velletis B

<sup>10</sup> *omit.* B

## 1. Political arguments

### 1.1. It is in the emperor's interest that churches with castles in his territories be given bishops loyal to him

[3] Who will deny that it is highly important for you to have the final say in the appointment of bishops to dioceses possessing fortresses within your domains? Who can claim that you should accept a prelate in your own territories who is disloyal, contemptuous or quarrelsome? I do not say that Johann is like that; you know your neighbours yourself!

*But between neighbours, says Juvenal, there burns an ancient and long-cherished feud and undying hatred, whose wounds are not to be healed.*<sup>1</sup>

We must beware of *the mouse nourished in the purse or the lamb in the bosom*?<sup>2</sup> Some castles of the Church of Freising are in districts under your jurisdiction. If the bishop is not a man of proven loyalty, you run a great risk. One thing is evident: if you accept that another man than the one you requested is elected, you will open the gate for all cathedral chapters to ignore your interests and elect someone who does not comply with your wishes and who behaves like themselves. Never will a prelate be appointed in Freising or in Passau or elsewhere who is acceptable to you, but bishops will be appointed against your wishes and those of your descendants – and you will be forced to accept as counsellors men whom you certainly do not want and let them in on your secret affairs. Fearing precisely this, your predecessor Albrecht, before he succeeded Sigismund, for seven years opposed [an appointment to] the See of Passau, and he did not desist before an acceptable agreement was reached.

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<sup>1</sup> Juvenalis: *Satirae*, 15.33-34: *Between the neighbouring towns of Ombi and Tentyra there burns an ancient and long-cherished feud and undying hatred, whose wounds are not to be healed. (Inter finitimos vetus atque antiqua sanabile vulnus, immortale odium et numquam sanabile vulnus)*

<sup>2</sup> Decretum, C.13.1.1: *a mouse in a purse, a fire in a bosom, and a serpent in the lap reward their hosts badly (mus in pera, ignis (sic!) in sinu, serpens in gremio male suos remunerant hospites)*. The Decretum also mentions the traditional proverb: *The one who harbours a snake in his bosom will be bitten by it (Qui serpentem in sinu suo nutrit, percutietur ab eo)*

[4] Tu dux, tu rex, tibi Bavari duces vassalli sunt. Ecclesia Frisingensis ex te feudum recipit. Tu advocatus ejus<sup>1</sup> es, bona illius<sup>2</sup> in tuis territoriis jacent. Erisne minor Alberto? Tune justitiam negliges<sup>3</sup>, cum ille defenderit injustitiam? Quis risus, quisne<sup>4</sup> contemptus erit, si tu meum germanum deseras, quem juvare coepisti. Rogasti canonicos Frisingenses, ut fratrem meum tibi episcopum darent<sup>5</sup>. Rogarunt<sup>6</sup> et duces Bavariae pro aliis. Canonici singulos duces rogatum misere, sibi ut liberam electionem dimitterent. Te, qui major es, et cujus interest<sup>7</sup> magis, neglexerunt, nec dignum {231r} putarunt<sup>8</sup>, ad quem suos mitterent oratores. Quid<sup>9</sup>, si post tantum contemptum illi obtineant<sup>10</sup>, quis te timebit amplius, quis te non parvifaciet, si<sup>11</sup> te, quem reges et nationes formidare deberent, paucorum presbyterorum contemnit ambitio. Noli despiciere<sup>12</sup> Caesar, meum fratrem<sup>13</sup>. Non est magna sibi jactura<sup>14</sup> succumbere, tibi damnum est, tibi dedecus. Te respice, tibi consule. Tua est haec causa. Nam quo pacto<sup>15</sup> principes atque<sup>16</sup> provincias sub potestate tenebis, si unius capituli conatus te dejicit<sup>17</sup>. Albertum tibi rursus commendabo<sup>18</sup>, nec aliena tibi, sed tui sanguinis exempla proponam. Nec alterius ecclesiae, sed hujus Frisingensis facta revolvam.

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<sup>1</sup> illius B

<sup>2</sup> ejus B

<sup>3</sup> negligas B

<sup>4</sup> quis B, L

<sup>5</sup> commendarent B

<sup>6</sup> rogaverunt B, L

<sup>7</sup> *em.*; intereat A; intereant B, L

<sup>8</sup> putaverunt L

<sup>9</sup> quis B

<sup>10</sup> *omit.* B

<sup>11</sup> sed B

<sup>12</sup> respicere A, L

<sup>13</sup> Caesar meum fratrem : fratrem meum, Caesar B

<sup>14</sup> sibi jactura : jactura sibi B, L

<sup>15</sup> quo pacto : quomodo B

<sup>16</sup> ac B

<sup>17</sup> deiecit B

<sup>18</sup> commemorabo B

## 1.2. Accepting the capitular election against the emperor's wishes would set a bad example for others

[4] It is you who are Duke and King, and the Bavarian Dukes who are vassals. The Church of Freising is a feudal domain at your disposal. You are its protector,<sup>1</sup> and its properties are situated in your domains. Shall you be less than Albrecht? How can you neglect justice when he prosecuted injustice? How they will laugh at you and scorn you if you desert my brother whom you started out by supporting! You asked the canons of Freising to nominate my brother as bishop to you. The dukes of Bavaria made requests for other [candidates].<sup>2</sup> The canons sent messages to each duke asking them to permit them a free election. But you who are greater than them, and whose interest in the matter is the greatest, they ignored, and they did not find it worthwhile to send envoys to you. If after this enormous insult you let them have their own way, who will fear you anymore? And if you, whom kings and nations should fear, are scorned by a small band of ambitious priests, then who will respect you in the future? Do not spurn my brother, oh Emperor: if you give in, it is not a disaster for him, but for you it would be a great loss and shame. Look to your own affairs, take care of your own interests: this cause is yours! For how can you keep princes and provinces under your rule, if you are overcome by the machinations of one cathedral chapter. Once again I recommend that you look to Albrecht: it is not examples from strangers that I counsel you to follow, but examples from your own family. And I am not talking about a church belonging to somebody else, but about the Church of Freising!

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<sup>1</sup> "advocatus"

<sup>2</sup> Both the letters of the dukes and the emperor would have been in contravention of the conciliar decree *Quemadmodum in construenda*, of 13 July 1433 (Session XII), p. 471: *This Holy Synods begs and earnestly exhorts the kings and princes ... not to write letters to the electors ... and even less to make threats and representations, and do any thing else to make the election less free (haec sancta synodus ac instantissime exhortatur reges et principes ... ne electoribus litteras scribant ... multoque minus comminationes, impressiones, aut aliud faciant, quo minus libere ad electionem procedatur)*

[5] Hic Johannes, qui<sup>1</sup> nunc se dicit electum, jam annis duobus atque viginti per capitulum exitit postulatus. Non libuit Alberto, patruo tuo, hunc esse pontificem, sed adversus eum Nicodemum, quem sedes apostolica promoverat, verbis factisque juvit. Astitit sibi et genitor tuus clarissimae memoriae, dux Ernestus<sup>2</sup>: quorum opera factum est, ut ejecto Johanne Nicodemus reciperetur<sup>3</sup> episcopus. O vivaces principum spiritus! O animas imperio dignas. O mentes intrepidias! Licet sane semperque licebit illorum commendare memoriam, qui nullis exterriti minis adversus omnium conatus jus suae familiae servarunt illaesium. Sciebant namque principes oculatissimi, nil pejus esse<sup>4</sup> contemptu rempublicam gubernantibus. Namque post neglectum derisio et conculcatio provenit. Nemo se ovem faciat, nisi se velit lupi morsibus laniari. Non expedit principem semper esse benignum, quietum, facilem, mitem. Adhibenda est quoque severitas, virilesque vultus, et oculi truces ostendendi sunt, ne lenitate principis majestas vilescat<sup>5</sup> imperii.<sup>6</sup> Ranae, cum sibi trabem, quam Jupiter dederat regnare, perpendissent, truncum ascenderunt, conculcarunt<sup>7</sup> perminxeruntque.

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<sup>1</sup> *omit.* B

<sup>2</sup> Ernestus A, B, L

<sup>3</sup> capietur B

<sup>4</sup> pejus esse : esse pejus B, L

<sup>5</sup> vanescat B

<sup>6</sup> imperium B

<sup>7</sup> conculcaverunt B, L

### 1.2.1. Princes must govern with determination

[5] This Johann, who now claims to have been elected, was nominated as bishop by the same chapter 22 years ago. But your uncle Albrecht would not accept him as bishop, and against Johann he put forward Nicodemus, who had been appointed by the Apostolic See, and helped him in words and deeds.<sup>1</sup> In this he was supported by your sire, Duke Ernest of noble memory, and due to their actions Johann was rejected and Nicodemus accepted as bishop. Oh, vigourous princely spirits! Oh, souls worthy of ruling! Oh, fearless minds! We remember and should, indeed, always remember them for not being cowed by threats and for keeping the rights of their family safe against the machinations of all. For these clear-sighted princes knew that to rulers nothing is worse than contempt: after indifference follow scorn and humiliation. Nobody should make a sheep of himself unless he wants to be torn apart by the teeth of the wolf. A prince should not always be benevolent, quiet, easygoing and mild. Sometimes he must show severity, a manly face, and fierce eyes, so that the leniency of the prince does not debase the majesty of lordship. When the frogs had inspected the log that Jupiter had given them as ruler, they mounted it, trod on it, and pissed all over it.<sup>2</sup>

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<sup>1</sup> Nicodemus also had the support of the Bavarian Duke, Heinrich XVI der Reiche, cf. Mass, I, 296-297

<sup>2</sup> Aesop's Fable of King Log (Phaedrus : Ranae regem petunt)

[6] Quid fabulas refero. Satis exempli dant Athesini<sup>1</sup>, qui postquam jugum tuum impune se abjecisse viderunt, Tridentinam urbem, adversus quam nihil habebant querelae, nisi quia tibi parebat, invaserunt, obsederunt, expugnaverunt.<sup>2</sup> Praetereo contumaciam Tergestinatorum: unicus ex Carniola castellanus, quia te non punire rebelles animadvertit, jussibus tuis obviare conatus est. Quid in hac ecclesia {283v} Frisingensi? Numquid plerique castellani, qui fidem tibi juramento<sup>3</sup> promiserant, ausi sunt abs tuo scito Johannem admittere, tamquam plus illum rogatum quam te animatum timuerint<sup>4</sup>. Sed gaudeo Carniolensem illum expugnatum captumque fore, gaudeoque<sup>5</sup> jam aliquos ex tuis perjuriis laqueum incidisse teque jam tandem<sup>6</sup> virum esse cognovisse. Non tamen hoc, sat<sup>7</sup> est, nisi perseveres rebellesque omnes usque ad unum punias<sup>8</sup>, quia *non est pietas aut misericordia*, Hormisda teste, *uni parcere et omnes per malum exemplum in discrimen adducere, et qui peccantibus parcit, peccandi fomitem subministrat*. Nec tutus est princeps, in cujus dominiis<sup>9</sup> delicta remanent<sup>10</sup> impunita. Suscipe igitur masculum<sup>11</sup> animum, Caesar, vindica neglectum tuum. Praestet tibi magnanimitas propria, quod Frisingensis capituli superbia denegavit, quia expedit tibi ne victus videaris. Quae<sup>12</sup> res liquide<sup>13</sup> monstrat te mei germani causam tueri debere.

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<sup>1</sup> Archesini L

<sup>2</sup> expugnaveruntque B

<sup>3</sup> juratam B

<sup>4</sup> timuerunt B

<sup>5</sup> gaudeo B, L

<sup>6</sup> *omit.* L

<sup>7</sup> satis B, L

<sup>8</sup> punies B

<sup>9</sup> dominio B

<sup>10</sup> manent L

<sup>11</sup> masculinum B, L

<sup>12</sup> ecce L

<sup>13</sup> liquido A, L

### 1.2.2. Bad examples from the emperor's own time

[6] But why quote fables when we have example enough from the people of Etsch: when they saw that they had thrown off your yoke with impunity, they attacked, besieged, and conquered the City of Trient though they had no complaint against that city except that it obeyed you. I pass over the defiance of the people of Trieste: when just one castle commander from Krain saw that you did not punish rebels, he tried to oppose you in every way. Now, what about the Church of Freising? Did not several castle commanders,<sup>1</sup> who had sworn loyalty to you, dare to admit Johann without your knowledge, as if they feared his request more than your anger? But I rejoice that that man from Krain has been defeated and captured, that other oathbreakers have been hanged, and that people now know you to be a man. But this is not enough, Caesar: you must pursue and punish the rebels to the last man, for, as Hormisdas says, *it is neither piety nor mercy to lead all into danger by sparing one, and the man who spares sinners provides a motive for sin.*<sup>2</sup> A prince in whose territories crimes go unpunished cannot be safe. Therefore, be a man, Caesar, and avenge the slight done to you. Let your strength and determination give you what the arrogant Chapter of Freising has denied you, for it is not desirable that you should appear to have been defeated. Which clearly goes to show that you should favour the cause of my brother.

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<sup>1</sup> I.e. of castles situated in Austria

<sup>2</sup> Decretum, D.45.17 (col. 166): *quae ista bonitas, quae ista misericordia est, uni parcere et omnes in discrimen adducere.* Pope Hormisdas is not mentioned in the text

[7] Sed est et alia ratio, quae meum fratrem adversario praefert: nam et in tuis dominiis nutritus est, et sub tuis auspiciis educatus fidem tibi habet, devotionem, amorem<sup>1</sup>, et<sup>2</sup> vitam pro tua salute poneret<sup>3</sup>, emori potius vellet<sup>4</sup>, quam aliquid tibi discrimen<sup>5</sup> accidere. Quod si magnopere tibi<sup>6</sup> non est famulatus, quia non fuit occasio, extant<sup>7</sup> obsequia mea, quae non tibi dumtaxat, sed antecessoribus etiam tuis, Sigismundo atque Alberto Caesaribus, ab ineunte aetate usque in hoc aevi fideliter praestiti. Nulla regio Christianorum est, quam ego vel Sigismundum vel Albertum servitus non obiverim. Adversus Teucros in armis fui, teloque confossus humerum paene interii. Adversus Hussitas arma gestavi. Nunc apud Anglos, nunc apud Italos legationes peregi. Non Hispani, non Galli, non Poloni me nesciunt, apud quos saepe nunc hoc nunc illud imperii negotium gessi. Quod si mei labores non magnae utilitatis fuerint, assidui tamen et fideles fuerunt. Juvet igitur Henricum, quia<sup>8</sup> meus germanus<sup>9</sup> est. Prosint ei et facta paterna, nam et genitoris nostri tum apud Italos, tum apud Bohemos insignis memoria est.

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<sup>1</sup> devotionem amorem : amorem devotionem B

<sup>2</sup> *omit.* A, L

<sup>3</sup> ponere A

<sup>4</sup> velle A

<sup>5</sup> aliquid tibi discrimen : discrimine aliquid tibi B

<sup>6</sup> magnopere tibi : tibi magnopere B, L

<sup>7</sup> *em.*; estant A, B, L

<sup>8</sup> qui B

<sup>9</sup> frater B

### 1.3. Heinrich Schlick is devoted to the emperor

[7] But there is another reason for you to prefer my brother to our adversary: my brother has been raised in your territories and brought up under your patronage. Therefore, he is loyal to you, he is devoted to you, he loves you, and he would rather give his life for you and would rather die than that you should incur any danger. He may not have served you much since he has not had the opportunity, but then there are my services not only to you yourself, but also to your predecessors, emperors Sigismund and Albrecht,<sup>1</sup> rendered faithfully since my early youth until the present day. There is no Christian country that I have not visited in the service of Sigismund and Albrecht. When I fought against the Teucrians,<sup>2</sup> a spear pierced my shoulder, and I almost died.<sup>3</sup> I have also fought against the Hussites. I have been on missions to England and to Italy. The Spaniards, the French, and the Poles all know me, for I often negotiated with them concerning imperial affairs. My labours may not have been of great importance, but they were unremitting and loyal. So, may it help Heinrich that he is my brother. And may he also be supported by the deeds of his father, for the memory our sire, too, is vivid both in Italy and Bohemia.

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<sup>1</sup> Kaspar Schlick had the distinction of being imperial chancellor to three emperors, Sigismund, who first appointed him to this office in 1433, Albrecht II, and Friedrich III

<sup>2</sup> 1428. Teucrians = Turks. Note that Piccolomini, in this oration from 1444, still uses the term *Teucris* for the Turks, a term that he would later reject. Teucris and Teucrians were classical names for Troy and Trojans (used by one of Piccolomini's favourite authors, Virgil). Using Teucrians for Turks was the same as to identify the Turks as descendants or relations of the Trojans, beloved and admired ancestors of the Romans, whereas the Turks were, at the time of Piccolomini, rapidly becoming the great enemy of Europe and absolutely not to be loved and admired

<sup>3</sup> 1429. Cf. Hufnagel, p. 256

[8] Nec te putes ob meam causam minus dignum promovere. namque si Paulum de moribus episcopi disserentem legeris, meumque fratrem et intus et mente noveris, quidquid<sup>1</sup> in sacerdote requiritur, in eo reperies. Est in eo sobrietas, castitas, hospitalitas, eruditio litterarum, sermo pergratus, domum optime dispensat, nulli molestus. *Ornatus ejus*, ut Jeronimus jubet, *justitia, prudentia, temperantia, fortitudoque sunt*. Caeremonias ecclesiasticas tam novit quam manus articulos suae. Horas canonicas numquam negligit, scit quia sors Christi esse. Et cum propheta dicit, *pars mea dominus*, vitamque talem ducit, ut *omni poscenti*, sicut apostolus jubet, *rationem* de sua tum fide tum *spe* reddere sit *paratus*. Erga superiores oboediens, erga inferiores benignus est. Scit, quia *non decet episcopos in clero dominari, sed gregem {284r} domini spontaneum pascere*. Scit quia quod Aaron et filii fuerunt, hoc episcopi et presbyteri debent esse. Quod si huic, sicut coepisti, faveris et mecum extolles pontificio dignum, et obsequia mea praemiabis in ipso, nec me tantum alacrem facies, sed omnes, qui tibi serviunt, hac gratitudine demulcebis, quia nil est, quid palatinos comites magis oblectet<sup>2</sup> quam domini liberalitas. Nec res ulla tam firmat solium principis quam memoria beneficiorum et retributio.

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<sup>1</sup> quidquam B

<sup>2</sup> delectent B

#### 1.4. By rewarding his servants, the emperor will gain their loyalty and support

[8] Do not consider my brother as less worthy of preferment because of me.<sup>1</sup> For if you read Paul on how a bishop should behave and know my brother intimately, you will find in him all that is required in a priest. For he is sober, chaste, hospitable and learned. He speaks kindly, manages his household well, and is mean to nobody. As Jerome says, *his apparel is prudence, justice, temperance, fortitude*.<sup>2</sup> He knows the ecclesiastical ceremonies like the fingers on his hands. He never misses a canonical hour, and he knows that he belongs to the lot of Christ.<sup>3</sup> With the Prophet he says: *God is my portion*,<sup>4</sup> and the life he leads is such that he is always, as the Apostle says, *ready to satisfy every one that asketh you a reason of that faith and) hope which is in you*.<sup>5</sup> He is obedient to his superiors and kind to his inferiors. He knows that bishops should *not be lording it over the clergy*,<sup>6</sup> but *feed the flock of God willingly*.<sup>7</sup> He also knows that *bishops and priests should be like Aaron and his sons*.<sup>8</sup> If you favour him, as you began by doing, and together with me praise him as worthy of episcopal office and reward my services in him, then you will not only make me happy, but you will make all who serve you grateful, for nothing pleases courtiers<sup>9</sup> more than the generosity of their lord. And nothing strengthens the throne of princes as much as the recollection of favours and rewards

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<sup>1</sup> I.e. Henrich Schlick should be preferred as a candidate for episcopal office because of his own qualifications office, not just because he is the chancellor's brother

<sup>2</sup> Jeronimus: *Epistola ad Nepotianum* (52), 13. MPL, XXII, col. 538

<sup>3</sup> Cf. Jeronimus: *Epistola ad Nepotianum* (52), 5. MPL, XXII, col. 531

<sup>4</sup> Psalms, 72, 26. Quoted by Jeronimus: *Epistola ad Nepotianum* (52), 5. MPL, XXII, col. 531

<sup>5</sup> 1. Peter 3, 15. Quoted by Jeronimus: *Epistola ad Nepotianum* (52), 7. MPL, XXII, col. 533

<sup>6</sup> 1. Peter, 5, 3: *neque ut dominantes in cleris*. Quoted by Jeronimus: *Epistola ad Nepotianum* (52), 7. MPL, XXII, col. 534

<sup>7</sup> 1. Peter, 5, 2: *pascite qui est in vobis gregem Dei providentes non coacto sed spontanee*. Quoted by Jeronimus: *Epistola ad Nepotianum* (52), 7. MPL, XXII, col. 534

<sup>8</sup> Jeronimus: *Epistola ad Nepotianum* (52), 7. MPL, XXII, col. 534

<sup>9</sup> "palatinos comites"

[9] Hoc in loco nihil est, cur adversarius possit nobiscum contendere, qui nedum tibi nusquam servivit, sed in tuam nuper contumeliam has ingressus provincias castella, quae tuis in<sup>1</sup> manibus erant, fraudulenter eripuit et quasi nihil ad te Frisingensis ecclesia pertineret, nec te vocato nec salutato possessionem castrorum invasit. Sed praedixerat hoc alias in Frisingensi capitulo, nec evanescere dicta sua volebat. Nam cum plerique, priusquam electio fieret, consulendum te suaderent: “Quid vos,” inquit, “concanonici<sup>2</sup> mei, de Caesare facitis verbum. Non dominus ecclesiae<sup>3</sup>, sed servus est imperator. Nos jubere debemus, illum parere necesse est.” Servabat itaque postea verbum suum. Non enim ut servus ad dominum, sed ut princeps ad subditum venit, ingressusque tuum territorium<sup>4</sup> tanti te fecit quanti apud herum esse mancipia novimus. Quod si talia in principio fiunt, quid tunc futurum reris, si, quod superi avertant, ecclesiam integram hic assequatur. Cum petes<sup>5</sup> inimicis transitum claudi, tunc aperiet, et claudet, cum aperiri<sup>6</sup> jubebis. Namque si ejus sententiam capis<sup>7</sup>, non tibi ecclesiae arces obsecundare, sed tua potius oppida sibi<sup>8</sup> patere<sup>9</sup> fas esse<sup>10</sup> putat. Quod quantum tibi<sup>11</sup> expediat ex<sup>12</sup> tuo<sup>13</sup> et horum, qui assunt, procerum<sup>14</sup> iudicio derelinquo. Ego illud dico, quod si verbum tuum servare, si tuum honorem tueri, si statui tuo consulere, si dignitatem imperialem manutenere, si domus Austriae decus praeservare, si spem bonam curialibus tuis praebere, si contemptum vitare et<sup>15</sup> his, qui tibi tuisque praecessoribus<sup>16</sup> fideliter servierunt, gratus esse, ut semper fuisti<sup>17</sup>, volueris, nullum mihi dubium facio quin tua ex munificentia tuisque favoribus et auxiliis hanc Frisingensem ecclesiam meus frater assequatur.

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<sup>1</sup> tuis in : in tuis L

<sup>2</sup> canonici B

<sup>3</sup> hic *add.* L

<sup>4</sup> tuum territorium : territorium tuum L

<sup>5</sup> potes B; petis L

<sup>6</sup> aperi B, L

<sup>7</sup> cupis B

<sup>8</sup> oppida sibi : sibi oppida L

<sup>9</sup> placere B, L

<sup>10</sup> *omit.* A, L

<sup>11</sup> sibi B

<sup>12</sup> et L

<sup>13</sup> ex tuo *omit.* B

<sup>14</sup> *omit.* B

<sup>15</sup> ex A

<sup>16</sup> predecessoribus B, L

<sup>17</sup> voluisti B

[9] In this matter, our adversary can certainly not measure up to us: after all, he has never served you. On the contrary, he has recently acted against your best interests by entering your lands and fraudulently seizing those castles that were in your hands – as if the Church of Freising was no concern of yours: he took possession of the castles without as much as calling upon you and coming to greet you. He had actually announced this in the Chapter of Freising, and he did not want his words to go unnoticed. For before the election, when several [of the canons] tried to persuade him to consult with you, he said: “Fellow-canons, why do you talk so much of the emperor. The emperor is not the lord of the Church, but its servant. It is us who should command, and he who should obey.” Afterwards he did as he had said, for he came not as a servant to his lord, but as a prince to his subject, and entering your lands he took as little notice of you as we know a master did of his slaves. If it begins this way, what do you think will happen in the future, were he – Heaven forbid – to get control of the whole diocese? When you request that passage be denied your enemies, he will grant passage, and when you demand that passage be granted, he will deny it. If you understand him, he does not think that it is right for the fortresses of the Church to support you, but rather that your cities should lie open to him. How much this will benefit you, I leave to your own judgment and to that of the nobles who are present. What I am saying is that if you want to keep your word, to defend your honour, to protect your state, to maintain the imperial dignity, to preserve the honour of the House of Austria, to give good hopes to your courtiers, to avoid contempt,<sup>1</sup> and to be dear<sup>1</sup> – as you have always been - to those who have served you and your predecessors loyally, then I do not doubt that my brother will obtain the Church of Freising as a result of your generosity, your favour, and your help.

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<sup>1</sup> An example of the classical rhetorical device of *accumulatio*, which Piccolomini used frequently

[10] Sed audio, quod quidam objiciunt, jamque in auribus meis quaedam murmura perstreptent. Teneo jam cogitatus istorum<sup>1</sup>. Scio quid ajunt. Movit nonnullos, ut video<sup>2</sup>, quod adversarius de neutralitate disseruit. Solvendus est hic nodus. Torrentes, qui ex alpiibus praecipitantur, priusquam in mare ferantur, quod eorum est finis, obvia quaeque foramina obstruunt et occurrentes foveas quaslibet implent. Ita et nos faciemus, nec neutralitati nec aliis objectionibus locum relinquemus, quamvis quid ad Johannem neutralitas stupeo quidem, Caesar, nec satis admirari sufficio, quod te de fracta neutralitate Johannes accusat, qui semper neutralitati repugnavit. *Capreorum oculos*, ut inquit Jeronimus, *talpa*<sup>3</sup> {284v} *condemnat*.

*Quis caelum terris non misceat*<sup>4</sup> *et mare caelo?*  
*Si fur displiceat Verri*<sup>5</sup>, *homicida*<sup>6</sup> *Miloni,*  
*Clodius accuset moechos, Catilina*<sup>7</sup> <sup>8</sup> *Cethegum,*  
*in tabulam Syllae, si dicant discipuli tres?*<sup>9</sup>  
*si*<sup>10</sup> *loripedem rectus derideat Aethiopem albus.*

Turpissimum est sua in aliis reprehendere vitia.

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<sup>1</sup> eorum B

<sup>2</sup> ut video *omit.* B, L

<sup>3</sup> culpa B

<sup>4</sup> miserat B

<sup>5</sup> ferri L

<sup>6</sup> homicidia B

<sup>7</sup> Cathelana A; Cathelina B

<sup>8</sup> homicida Miloni ... *Catilina omit.* L [A and B not derived from L]

<sup>9</sup> ferendum esse *add.* B, L

<sup>10</sup> in A

## 1.5. Three problems

### 1.5.1. Problem of neutrality

[10] But I hear what some object to this, and their murmurings keep sounding in my ears. I know what they think and what they say. I see that some are impressed by the arguments of my adversary concerning Neutrality. This knotty problem must be solved. Before the streams falling from the Alps reach the sea which is their end, they fill all holes and pits they meet on their way. We shall do the same and not leave any room at all for Neutrality or any other objections. As for Johann and Neutrality, I am astonished, Caesar, that he should accuse you of breaking Neutrality, since he has always himself opposed it.<sup>1</sup> As Jerome says: *The mole berates the eye-sight of goats.*<sup>2</sup> And

*who will not confound heaven with earth and sea with sky,  
if Verres denounces thieves, or Milo cut-throats?  
If Clodius condemns adulterers, or Catiline upbraid Cethegus?  
Or if Sulla's three disciples inveigh against proscriptions.<sup>3</sup>  
Let the straight-legged man laugh at the club-footed,  
the white man at the blackamoor.<sup>4</sup>*

It is utterly disgraceful to blame others for one's own faults.

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<sup>1</sup> Johann Grünwalder had actually not only been a staunch supporter of the Council, but also a particularly adamant opponent of German Neutrality, both in speech and writing, cf. Mass, I, p. 306

<sup>2</sup> Quotation not identified

<sup>3</sup> Juvenalis: *Satirae*, 2.25-28

<sup>4</sup> Juvenalis: *Satirae*, 2.23

[11] Non bene, ut video, Jeronimum legit adversarius noster, cujus ad Nepotianum haec sunt verba: *Non confundant<sup>1</sup> opera sermonem tuum, ne cum in ecclesia loquaris tacitus quilibet respondeat: cur ergo haec, quae facere<sup>2</sup> dicis, ipse<sup>3</sup> 4 non facis? Delicatus magister est, qui pleno ventre de jejuniis disputat.* Nota<sup>5</sup> sunt Johannis opera. Nemo nescit, quam acer hic neutralitatis fuerit impugnator. Primus hic omnium principum oratorum ante Felicem comparuit oboedientiamque nomine clari principis Alberti, ducis Bavariae, praestitit. "Et gaude," inquit Felici<sup>6</sup>, "plus quam centum milia virorum in tuam hodie oboedientiam deduxi." Nec multo post<sup>7</sup> cardinalatus insignia suscepit. Nicodemum episcopum, quia neutralis erat, schismaticum appellabat<sup>8</sup>, magnoque nixu<sup>9</sup> depositionem ejus quaerebat. Maguntiae plura<sup>10</sup> contra neutralitatem locutus est. Basileae decretum fieri maximo studio contendit, quo neutralitas damnaretur. Cujus voluntati, si mos gestus fuisset, et omnes electores et tu, Caesar, declarati fuissetis haeretici. Nunc vir bonus, quia neutralitatem sibi<sup>11</sup> commoda<sup>12</sup> putat<sup>13</sup>, ne adversus neutralitatem aliquid agas, blandus admonet. O viri constantiam! O fortem<sup>14</sup> animum! O stabiles hominis sententias! Siccine decet optimum<sup>15</sup> variare.

[12] Hic Maguntiae, cum neutralitas juberet<sup>16</sup> pileum poni cardinalatus, "Emoriar<sup>17</sup> prius," inquit<sup>18</sup>, "quam hoc insigne deseram. Nam et color iste purpureus jubet, ut pro fide non timeam fundere sanguinem." Nunc cogente nullo galerum deposuit, armaque sua non jam<sup>19</sup> pileata, sed mitrata depingit. Quo facto vel episcopatum cedere cardinalatum debere censet, vel se vult neutralem ostendere, ut episcopatum valeat assequi. Credo equidem, nec vana opinio est, oboediturum hunc Eugenio, si se propter hoc obtinere putaret ecclesiam, quem non se fidei<sup>20</sup>, sed fidem sibi coarctat. Sed missum istum<sup>21</sup> faciamus, quia neutralitatis auxilio non est dignus, qui neutralitatem est insecutus, sicut a<sup>22</sup> lege juvari non debet, qui peccat in legem.

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<sup>1</sup> confundunt L

<sup>2</sup> omit. A, L

<sup>3</sup> omit. B

<sup>4</sup> dicis ipse : ipse dicis L

<sup>5</sup> non B

<sup>6</sup> em.; Felix A, B, L

<sup>7</sup> plus B

<sup>8</sup> appellat B

<sup>9</sup> nixii B

<sup>10</sup> plus B, L

<sup>11</sup> si B

<sup>12</sup> commoda B

<sup>13</sup> putas B

<sup>14</sup> blandem B

<sup>15</sup> ipsum B

<sup>16</sup> jubere A

<sup>17</sup> emorior B

<sup>18</sup> prius inquit : inquit prius B

<sup>19</sup> non jam : jam non B, L

<sup>20</sup> videi A

<sup>21</sup> ista B

<sup>22</sup> omit. A

[11] It seems to me that our adversary has not read Jerome very well, where he says to Nepotian: *Let not your actions belie your words, so that when you begin to speak in a church someone may mentally reply: "Why do you not practice what you profess? Here is a lover of delicacies who preaches on fasting while his own stomach is full."*<sup>1</sup> Johann's actions are well known. Everybody knows how fiercely he opposed Neutrality. He was the first ambassador of a prince who appeared before Felix, offering obedience in the name of noble Prince Albrecht, Duke of Bavaria. "Be glad," he told Felix, "for today I have brought more than 100.000 men into your obedience." Shortly afterwards he received the insignia of a cardinal.<sup>2</sup> Because Bishop Nicodemus adhered to Neutrality, Johann called him a schismatic and tried by every means to have him deposed. In Mainz he said much against Neutrality. In Basel he worked hard for a decree condemning Neutrality. If he had prevailed, all the [prince] electors and you yourself, Caesar, would have been declared heretics. Now, however, the good man considers that Neutrality is to his advantage, and therefore he smoothly admonishes you not to act against it. Oh, what steadfast man! What strong soul! What lasting opinions!<sup>3</sup> Would a good man change like that?

[12] When in Mainz he was requested, in the name of Neutrality, to put away his cardinal's hat, he answered: "I would rather die than give up this symbol of my office, for this purple colour signifies that I should not hesitate to shed my blood for the Faith." Now, under no pressure whatsoever, he has put away the hat, and his arms are no longer surmounted by a [cardinal's] hat, but by a [bishop's] mitre. He has done this either because he believes that a cardinal's office is inferior to that of a bishop, or because he wants to demonstrate that he now adheres to Neutrality so that he may obtain episcopal office. I do believe that he would even declare obedience to Eugenius if he thought that he could get the Church [of Freising] in that way, for he does not bend himself to the Faith, but he bends the Faith to himself. But enough of this: an opponent of Neutrality cannot merit to be helped by it, just as *a man may not be helped by the law if he breaks it.*<sup>4</sup>

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<sup>1</sup> Jeronimus: *Epistola ad Nepotianum* (52), 7. MPL, XXII, col. 533. Also used by Piccolomini five years before, in his *Oration "Si ea quae justa" [4]*, sect. 23

<sup>2</sup> Mass, I, p. 307: *Der Dank liess auch nicht lange auf sich warten*. Grünwalder was appointed cardinal by Felix on 12 October 1440

<sup>3</sup> Piccolomini drips irony, in the form of exclamations

<sup>4</sup> Variant of a well-known legal maxim

[13] Ad electores veniendum est, quia cum his neutralitatis pacta percussa sunt, cavendumque censeo, ne fratri meo favens his displiceas. Sed pone hunc vanum timorem, quoniam nequeunt in eo te<sup>1</sup> reprehendere, quod ipsi faciunt. Decanus eorum, Maguntinus archipraesul, ab utraque parte provisiones suscepit. Nam et Rupertum<sup>2</sup>, Stephani ducis Bavariae filium, per<sup>3</sup> Felicem promotum in Argentinensem pontificem et suum suffraganeum suscepit. In ecclesia Curiense, quod Eugenius mandavit, est<sup>4</sup> executus. Coloniensis archiepiscopus Paderburgensem ecclesiam per concilium sibi commissam recepit. Nolo per singulos discurrere, ne longior fiam. Illud tibi<sup>5</sup> persuasum volo, nullum ex principibus tuis esse, qui non vel isti vel illi parti contra neutralitatem obtemperaverit. Nec tu, Caesar, immunis es, qui Salzburgensem archiepiscopum auctoritate concilii<sup>6</sup> confirmatum in tuis dominiis<sup>7</sup> {285r} admisisti, quod nisi tibi ab<sup>8</sup> Eugenio vis imputari hunc, meum germanum in recompensationem juvabis.

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<sup>1</sup> in eo te : te in eo B

<sup>2</sup> Ropertum codd.

<sup>3</sup> ab utraque ... per *omit.* L [*A and B not derived from L*]

<sup>4</sup> et B

<sup>5</sup> tamen B, L

<sup>6</sup> consilii L

<sup>7</sup> dominis A

<sup>8</sup> vel B

### 1.5.2. Problem of the imperial electors

[13] We now come to [the issue of] the [prince] electors. Since it was they who made the pact of Neutrality, I believe you should consider whether you might offend them by favouring my brother. However, this unfounded fear you may put aside, for how can they criticize you for doing what they themselves do? Their dean, the Archbishop of Mainz, accepts provisions<sup>1</sup> from both sides. Thus he accepted Felix' promotion of Ruprecht,<sup>2</sup> son of Duke Stephan of Bavaria,<sup>3</sup> as Bishop of Strassbourg and his own suffragan bishop. And - quite the opposite - in the case of the Church of Chur, he complied with the decision of Eugenius. For his part, the Archbishop of Cologne accepted the Church of Paderborn, given to him by the Council.<sup>4</sup> I shall not go into all the individual cases for that would take too long. But I wish you to be aware of the fact that all your princes have actually accepted [the provisions] of both parties, in contravention of Neutrality. And so did you, Caesar, when you admitted the Archbishop of Salzburg, confirmed by the authority of the Council, to your territories. So, unless you want Eugenius to censure you for that, you should, in compensation, help my brother.

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<sup>1</sup> I.e. ecclesiastical appointments

<sup>2</sup> Ruprecht (1420–1478): Bishop of Strassburg

<sup>3</sup> Stefan von Pfalz-Simmern-Zweibrücken (1385-1459): Count Palatine and Duke of Pfalz-Simmern-Zweibrücken

<sup>4</sup> See Voigt, II, pp. 308-309

[14] Sed non sunt ista, ut melius loquamur, neutralitati contraria, neque idcirco fractor est aliquis foederum, quod episcopum per istam vel illam<sup>1</sup> partem promotum admiserit. Neutralitas namque tunc servanda est, dum nostris animabus praelati sufficiunt<sup>2</sup> ordinarii. Ubi vero<sup>3</sup> necessaria est auctoritas major, frangenda potius neutralitas est<sup>4</sup> quam animarum salus negligenda. Certum est, quia non potest metropolitanus episcopum promovere nisi electum. At ubi vel neglecta electio est<sup>5</sup> vel de persona inhabili facta, supernum tribunal<sup>6</sup> est adeundum vel apostolicae sedis vel concilii, sicut in ecclesia nunc Frisingensi contigit<sup>7</sup>, in qua veluti, sicut<sup>8</sup> post dicemus, Felicis cardinalis electus non<sup>9</sup> potuit ab ordinario confirmari, opusque omnino fuit huic ecclesiae per superiorem provideri, si eam vacare diutius non decebat. Cum ergo vel sine pontifice<sup>10</sup> dimittenda est<sup>11</sup> ecclesia vel neutralitas infringenda, quis non videt duobus praepositis malis, quod minus sit eligendum, sicut in *Officiis* Cicero et omnis philosophorum praecipit schola. Quod si contra neutralitatem aliquid faciendum est, nemo te arguet, invictissime Caesar, si tuos potius quam alienos duxeris adjuvandos. Johannes vero, qui cardinalis est a Felice creatus, et, ut ipse inquit, per metropolitanum a concilio<sup>12</sup> confirmatum comprobatus, nullo pacto potest salva neutralitate juvari. Itaque, si violanda neutralitas est, ut est in hoc casu, in tuorum potius favorem quam in aliorum commodum frangi debet.

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<sup>1</sup> istam vel illam : illam vel istam L

<sup>2</sup> sufficiant B

<sup>3</sup> autem B

<sup>4</sup> potius neutralitas est : est potius neutralitas L

<sup>5</sup> electio est : est electio L

<sup>6</sup> tribunali A

<sup>7</sup> contingit B, L

<sup>8</sup> *omit.* B, L

<sup>9</sup> nonne B

<sup>10</sup> sit *add.* A

<sup>11</sup> sic A

<sup>12</sup> Nicolao B [*sic!* – this indicates that manuscript B was written after the accession of Pope Nicholas V in 1447]; consilio L

[14] But – to speak in a more positive vein - these things do not really run counter to Neutrality, and therefore nobody is breaking the pact if he accepts a bishop appointed by one side or the other. For Neutrality may only be kept when the ordinary prelates suffice in pastoral matters.<sup>1</sup> But when there is need of a higher authority, it is better to break Neutrality than to neglect the welfare of souls. It is certain that a metropolitan bishop<sup>2</sup> cannot appoint a bishop unless he has been elected first.<sup>3</sup> But where the election has been carried out improperly or an ineligible person has been elected, it is necessary to have recourse to a higher tribunal, either that of the Apostolic See or that of the Council. This is what has happened now, in the case of the Church of Freising. As we shall explain later, a cardinal of Felix, though elected,<sup>4</sup> could not be confirmed by the archbishop,<sup>5</sup> and therefore it was necessary that a superior instance should provide a bishop for this diocese if it should not be vacant for a long period. For there were only [two possibilities], either to leave the diocese without a bishop or to break Neutrality. Who does not see that out of two evils, the lesser one should be chosen, as Cicero says in his *De Officiis*<sup>6</sup> and the whole school of philosophers teaches. And in case Neutrality cannot be observed, nobody will blame you, Unvanquished Emperor, if you prefer to support your own people rather than strangers. As Johann was made a cardinal by Felix and was, as he himself says, approved by the Metropolitan<sup>7</sup> who had himself been confirmed by the council, there is absolutely no way in which his case can hold – at least not if Neutrality should be observed! But if Neutrality must be disregarded, as in this case, then it should be broken in favour of your own people rather than for the benefit for others.

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<sup>1</sup> “animabus nostris” = our souls

<sup>2</sup> An archbishop

<sup>3</sup> i.e. by the cathedral chapter

<sup>4</sup> i.e. by the cathedral chapter

<sup>5</sup> The Archbishop of Salzburg

<sup>6</sup> Cicero: *De officiis*, 3.1.3: *ex malis eligere minima oportere*

<sup>7</sup> The Archbishop of Salzburg

[15] Sed est alia quoque difficultas, cui nos respondere oportet. Dicit quidam: “Nisi Johanni faveas, Bavaros duces adversus te arma moturos. Itaque licet inclyta domus Austriae agros suos tueri sit potens, non tamen expedit tantum<sup>1</sup> tribuere Caspari<sup>2</sup>, ut ejus causa suscipi bellum debeat, quia utilior est Bavarorum principum amicitia quam Casparis famulatus. Nec Caspar, si bonus vir est, hoc ex te poscere debet, quia praeponi publica privatis decet.” Hoc ego, clementissime Caesar, nequaquam negaverim. Scio namque familiam illam Bavarorum tum nobilissimam tum potentissimam non solum prodesse imperio posse, sed antiquis temporibus multifariam profuisse, in qua diu sedens imperium magnas res gessit. Cujus splendori<sup>3</sup> atque gloriae si comparari voluerim, ranae potius fuerim comparandus, qui volens aequari bovi, sicut fabulae ferunt, intumescendo crepuit. Sed neque tam ambio neque tam mei sum nescius, ut me Bavaris comparem aut eis quovis pacto quaeram obesse. Obnoxius sum illi familiae, quoad vivam, servire nec ingratus adversus eam<sup>4</sup> inveniar umquam.

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<sup>1</sup> expedit tantum : tantum expedit L

<sup>2</sup> Gaspar... *et passim* A

<sup>3</sup> splendore B

<sup>4</sup> *omit.* B

### 1.5.3. Problem of war with Bavaria

[15] But there is another difficulty that we must address. Someone may say that “the Bavarian Dukes will go to war against you if you do not favour Johann. Though the illustrious House of Austria is certainly strong enough to protect its territories, Kaspar is not so important to you that you should go to war for his sake: the friendship of the Bavarian princes is more useful to you than the service of Kaspar. And if Kaspar is a good man he will not demand this of you, for public matters are more important than private ones.”<sup>1</sup> This I certainly do not deny, Gracious Emperor. For I know that the most noble and powerful family of the Bavarians can be useful to the empire today, and has actually been of great benefit to it in former times when it held imperial office for a long period and achieved great things. If I wanted to equal its splendour and glory, I would be like the frog in the fable which wanted to be as big as an ox and swelled so much that it burst asunder.<sup>2</sup> But I am not so ambitious or so ignorant of my own [status] that I want to measure myself with the Bavarians or cause them any problems whatsoever. Rather, I am obliged to be of service to that family, as long as I live, and never be found to be ungrateful towards it.

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<sup>1</sup> Actually, threatening letters had been sent to the emperor by Duke Albrecht III of Bavaria, the nephew of Grünwalder, and to some of the imperial courtiers. Piccolomini himself thought that such letters had been requested by the chancellor’s enemies at court, cf. Voigt, II, p. 316

<sup>2</sup> From a Fable of Aesop

[16] Sed audiant, obsecro, circumstantes, attendite consulares<sup>1</sup>! Quis est, qui mei causa suscipere bellum suadeat Caesari? Certe non ego nec meus germanus. Intelligite, obsecro, viri praestantes<sup>2</sup>! Audi me, Caesar, et agnosce melius, quod dico: non<sup>3</sup> mea vel mei<sup>4</sup> fratris, sed tua est haec causa<sup>5</sup>. Tu neglectus es, non ego! Tibi rebellio facta est<sup>6</sup>, non mihi. Non meo fratri, sed tibi jurarunt castellani. Non mihi, sed Australi {285v} familiae obnoxia est ecclesia Frisingensis, cujus<sup>7</sup> castra in tuis dominiis, non in meis sunt, quae, si praeter tuum scitum recipiuntur, non mihi, sed tibi tuaeque domui fit injuria, quam si vindicando suscipis bellum, non propter me, sed propter te tuamque domum venis in arma. Ego vero, mi Caesar, in Danubium potius volo praecipitari quam tibi vel minimo esse detrimento, absitque scelus hoc, ut propter me tibi Bavari succenseant duces. Ego quia jurejurando sum tibi astrictus, ut honorem tuum vendices, et tum<sup>8</sup> Austriae tum imperii sacri privilegia tuearis, admoneo. Quod quantum expediat, et tu pro tua prudentia nosti, et astantes barones manibus palpant.

[17] Ceterum quia de bello Bavarorum mentio incidit<sup>9</sup>, non est ab re pauca in hac materia dicere. Mihi tam verisimile sit Bavaros principes propter Johannem arma movere quam te, Caesar, propter Casparem bella sustinere. Quis nescit Bavaros ea semper usos modestia, ut<sup>10</sup> nullum proelium sine causa susceperunt. Quis graves illos ac maturos principes armari contra dominum putet? Quis laudare Bavaros velit, si propterea tibi bellum indicerent, quod usurpata per adversarium nostrum castella recuperare curaveris. Sciunt Bavari nihil ad se<sup>11</sup> pertinere de castris, quae in tuis dominiis sunt. Et sicut ipsi ex suo arbitrio Bavariam regunt<sup>12</sup>, sic te Austriam, Stiriam, Carinthiam et Carniolam gubernare debere cognoscunt. Nec eos latet te, quia Romano imperio praesides, super Bavaros jurisdictionem habere, ad eos vero nihil de tuis dominiis pertinere.

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<sup>1</sup> consules B

<sup>2</sup> patres A, L

<sup>3</sup> vel *add.* B

<sup>4</sup> *omit.* B

<sup>5</sup> sed ... causa : causa haec tua est B

<sup>6</sup> facta est *omit.* B

<sup>7</sup> eius A, L

<sup>8</sup> cum A

<sup>9</sup> mentio incidit : incidit mentio L

<sup>10</sup> et L

<sup>11</sup> nihil ad se : ad se nihil B, L

<sup>12</sup> regnant B

[16] But listen, you who are present, and pay attention, counsellors:<sup>1</sup> who would claim that the emperor should go to war on my behalf? Certainly not I nor my brother! Be assured of this, excellent men! Hear me, Caesar, and please understand what I am saying: this cause is not mine nor my brother's, but your own. It is you who have been slighted, not I. It is you they rebel against, not me. The fortress commanders swore their oath to you, not to my brother. The Church of Freising is subject not to me, but to the Family of Austria: its castles lie in your domains, not in mine, and if they are taken over by someone else without your knowledge, it is not me, but your House that is being wronged. If you go to war to maintain your rights, then you take up arms not for me, but for yourself and for your House. As for me, Caesar, I would rather be thrown into the Danube than cause you any harm whatsoever! Far be from me the crime that the Bavarian dukes should become your enemies for my sake. It is because I am bound to you by oath, that I urge you to vindicate your honour and to defend the sacred rights<sup>2</sup> both of Austria and of the Holy Empire. How expedient this [course of action] is, you yourself know, in your wisdom, and it must also be quite evident to the barons present here.

[17] But as we are now speaking about war with the Bavarians, I have some other things to say about this issue. I think it is just as unlikely that the Bavarian princes would go to war for the sake of Johann as that you, Caesar, would go to war for the sake of Kaspar. As everybody knows, the Bavarians have always been reluctant to fight without proper cause. Who believes that these serious and mature princes would take up arms against their lord?<sup>3</sup> Who would commend the Bavarians for declaring war on you if you only intend to take back those castles that have unlawfully been taken over by our adversary? The Bavarians know that they have nothing to do with the castles situated in your domains. And as they themselves rule Bavaria as they see fit, they know that you must rule Austria, Steiermark, Kärnten. and Krain, as you see fit. And they know quite well that you are the one who governs the Roman Empire and thus has jurisdiction over Bavaria, whereas they have no rights at all with regard to your domains.

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<sup>1</sup> "consulares"

<sup>2</sup> "privilegia"

<sup>3</sup> i.e. the emperor

[18] Nec te moveat, quod aliqui dotatam per Bavaros ecclesiam Frisingensem dictitent, quia non Bavari<sup>1</sup> ut Bavariae duces castra, de quibus nunc agimus, ecclesiae tradiderunt, sed tamquam Stiriae atque Carinthiae vel Carniolae domini, in quorum jure tu successisti, qui nunc his<sup>2</sup> provinciis praees. Est praeterea Frisingensis ecclesia imperius principatus et ab imperio feudum suscipit, nec praeter<sup>3</sup> te, qui Romanae reipublicae gubernacula suscepisti, alium quemquam decet de his castris cognoscere. Norunt ista Bavari, et quia<sup>4</sup> tui vassalli sunt, tibi que majori ex parte juramento astricti scelus se perpetrare cognoscerent, si propter Johannem tibi vellent irasci. Absit dedecus hoc ab illa clarissima sublimique domo, ut quae semper imperii propagatrix fuit, jam hostis inveniatur. Absit hic vanissimus timor. Nec propterea moveri Bavaros arbitremur<sup>5</sup>, quia sic adversarius dixerit. Non enim ex capite suo, sed ex prudentum virorum sententia movetur Bavaria.

[19] Rogo igitur atque obsecro, Caesar, ne quid de illis consanguineis tuis sinistra<sup>6</sup> concipias<sup>7</sup>, qui multo paratiores sunt in auxilium tuum, si quando volueris, quam in damnum vel<sup>8</sup> injuriam arma conferre. Non potest nobilitas non amitari nobilitati<sup>9</sup>, nec virtus potest virtuti non affici. Illos tibi jus, sanguis<sup>10</sup> conciliat. Justitia retinet, fides praestita stringit. Nil est, quod horum arma formides: non minus te illi indigent quam tu eis. Utere jure tuo et nullum timeas, dum recte agis. Perfice quod coepisti<sup>11</sup>, quia<sup>12</sup> maledictus est qui *ponens manum ad aratrum retro respicit*. Nec imitari *lynxes* nos decet, quibus, Jeronimo teste, *natura insitum est, ne post<sup>13</sup> {286r} tergum respicientes priorum meminerint*. Regum verba stabilia esse constareque, sed facta principum a vertice in calcem debent<sup>14</sup>. Variare autem et in<sup>15</sup> horas mutare sententias cum omni hominum generi turpissimum sit, tamen<sup>16</sup> principantibus foedissimum est. Ideoque tua maxime interest, Caesar piissime, ut quod in fratre meo coepisti, in finem usque perducas. Diximus jam quid<sup>17</sup> expediat.

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<sup>1</sup> Bavaria B

<sup>2</sup> istis L

<sup>3</sup> propter B

<sup>4</sup> qui B

<sup>5</sup> arbitramur B; in arma *add.* L

<sup>6</sup> sinistre B, L

<sup>7</sup> accipias B

<sup>8</sup> in *add.* B

<sup>9</sup> *omit.* B

<sup>10</sup> jus sanguis : jus sanguinis B

<sup>11</sup> fecisti B

<sup>12</sup> cum B, L

<sup>13</sup> opus B

<sup>14</sup> verba stabilia ... debent *omit.* B [NB: A and L not derived from B]

<sup>15</sup> *omit.* B

<sup>16</sup> tum A, L

<sup>17</sup> quoque B

[18] And you need not be concerned just because some people keep saying that the Church of Freising was endowed by the Bavarians, for the Bavarians did not give the castles in question to the Church in their capacity as dukes of Bavaria, but in their [former] capacity as Lords of Steiermark, Kärnten, and Krain. Today, you have succeeded as ruler of these areas and as such you have taken over their rights. Moreover, the Church of Freising is a principedom of the Empire, holding [its domains as] a feudal grant from that Empire. So, apart from you who govern the Roman Empire, nobody has the right to dispose of these castles. This the Bavarians know, and as your vassals they acknowledge that, being bound to you by oath, they would be committing a grave offense if they were to become your enemies because of Johann. May this shame be far from that noble and exalted House that they should now become enemies of the Empire whose champions they have always been. So, away with this idle fear! And we do not believe that the Bavarians will be moved by the words of our adversary, for Bavaria is not moved by his will,<sup>1</sup> but by the considered judgment of wise men.

[19] So, I ask and beg you, Caesar, do not entertain such dark thoughts about your [Bavarian] relatives: they are much more inclined to come to your aid, when you wish it, than to take up arms to harm or to wrong you. Nobility must have friendship with nobility, and virtue must like virtue. The bond of blood will reconcile them to you. Justice keeps them with you, and the sworn oath binds them to you. You should not fear their armies at all: the Bavarians need you more than you need them. Stand on your rights, and fear nobody when you act rightfully. Finish what you have begun, for cursed is the *man putting his hand to the plough and looking back*.<sup>2</sup> And we should not imitate the lynxes whose nature it is, according to Jerome, *to forget what they have just seen when they look behind them*.<sup>3</sup> The words of a king must be firm, and the actions of a prince must be consistent “from top to bottom.”<sup>4</sup> Changing opinion all the time is shameful for men in all stations of life, but for rulers it is absolutely disgraceful. Therefore it is in your own great interest, Most Pious Emperor, to bring what you have begun to do for my brother to a happy conclusion.

We have now said what is expedient.

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<sup>1</sup> “suo capite”

<sup>2</sup> Luke, 9, 62: *nemo mittens manum suam in aratrum et aspiciens retro aptus est regno Dei*

<sup>3</sup> Jeronimus: *Epistola ad Chrysogonum*, 9, 1. MPL, XXII, col. 342: *Verum tu, quod natura Lynces insitum habent, ne post tergum respicientes meminerint priorum*

<sup>4</sup> See Cicero: *Pro Quintio Roscio Comoedo*, 7.20: *ab imis unguibus usque ad verticem summum*

[20] Nunc quid liceat absolvemus. Et quia sub justo locavimus licitum, jam de justitia disputabimus. Haec est *naturae tacita quaedam conventio in auxilium inventa multorum*. Hanc jurisconsulti *constantem atque*<sup>1</sup> *perpetuam esse voluntatem*<sup>2</sup> *diffiniunt, quae*<sup>3</sup> *unicuique suum jus*<sup>4</sup> *tribuit*. Cicero idem inquit, *sed in jure distribuendo communem servari utilitatem* praecipit. *Nam et justitia est*<sup>5</sup> *cum damno unius servari*<sup>6</sup> *republicam*. Nos ista<sup>7</sup> nunc praetereamus, discussoque partium jure, quid liceat, videamus.<sup>8</sup> Quattuor loca sunt, Caesar, in quibus causa haec potest subire<sup>9</sup> iudicium: coram Deo, coram Eugenio, coram concilio, et coram Germaniae principibus neutralitatem servantibus<sup>10</sup>.

[21] De deo primum dicamus. Hic si foret in terris nec chirographis nec testibus indigeremus, quia nil est, quod ejus majestati non sit apertum. Fingamus tamen coram ipso causam isto<sup>11</sup> modo versari. Quid, obsecro, diceret ille rector orbis et hominum sator<sup>12</sup>, qui nullam in episcoporum creatione vel corruptelam vel labem intervenire vult, qui omnes petentes<sup>13</sup> putat indignos, cui nil magis quam ambitio displicet. Videor videre Deum ipsum in haec verba prorumpentem:

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<sup>1</sup> tum B

<sup>2</sup> utilitatem B

<sup>3</sup> qui B

<sup>4</sup> suum jus : jus suum B

<sup>5</sup> et A

<sup>6</sup> servare B, L

<sup>7</sup> ita B

<sup>8</sup> provideamus B

<sup>9</sup> potest subire : subire potest B, L

<sup>10</sup> observantibus B, L

<sup>11</sup> istam A

<sup>12</sup> sacer A

<sup>13</sup> potentes B; petentes *corr. ex* potentes L

## 2. Legal arguments

[20] Now we shall look at that which is permissible. And since permissible in this context means just and legitimate, this is what we shall be speaking about. *Justice is a tacit covenant<sup>1</sup> of nature established for the aid of many.*<sup>2</sup> Lawyers define it as *the constant and permanent will to respect the rights of everybody.*<sup>3</sup> Cicero says the same way when he states that *in administering justice the Common Good must be safeguarded. For it is just to safeguard the state even if one individual may be harmed thereby.*<sup>4</sup> We shall not dwell on this, but move on to discuss the rights of the [two] parties and then look at what may be done legitimately.

There are four instances that may judge in this matter: God, Eugenius, the Council, and the German princes observing Neutrality.

### 2.1. In relation to God

[21] Let us first talk about God. If He was here on Earth we should need neither documents nor witnesses, for nothing is hidden from his majesty. So, let us imagine that this trial is conducted before Him [as judge]. What would He say, the ruler of the world and the progenitor of the human race, who wants that there should be no corruption nor faults in the appointment of bishops,<sup>5</sup> and who thinks that all who desire to be bishops are for that very reason unworthy [of this office]. For nothing displeases him more than ambition.

I seem to hear God speak like this<sup>6</sup>:

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<sup>1</sup> I.e. contract

<sup>2</sup> From Martin of Braga (ca. 550): *De Formula Honestae Vitae*. In the Middle Ages this work was attributed to Seneca

<sup>3</sup> Quotation not identified

<sup>4</sup> Not identified as a direct quotation, but see Cicero: *De finibus bonorum et malorum*, 3.19.64: *ex quo illud natura consequi, ut communem utilitatem nostrae anteponamus. ut enim leges omnium salutem singulorum saluti anteponunt, sic vir bonus et sapiens et legibus parens et civilis officii non ignarus utilitati omnium plus quam unius alicuius aut suae consulit*

<sup>5</sup> Cf. Piccolomini's oration "*Si ea quae justa*" [4] of 1438/1439 to the Council of Basel on the subject of the appointment of bishops

<sup>6</sup> God speaking directly on this hearing at the Imperial Court, trial, is an instance of the classical rhetorical device of personification (*personificatio*)

[22] “Quis fastus, quis ambitus te ducit, Johannes, ut vivere nolis<sup>1</sup>, nisi ecclesiae Frisingensi praeficiaris<sup>2</sup> episcopus? Cur te efficis tanti? Cur tibi tantum arrogas? Tu ne Ambrosio melior, aut Gregorio sanctior, vel doctior Augustino? Illi fugiebant vocati, tu repulsus accedis. Illi plorabant retenti, tu defles exclusus. Illi abire rogabant, tu manere precaris. Tuam<sup>3</sup> ne mihi<sup>4</sup> ambitionem reris<sup>5</sup> incognitam, qui postquam sacerdotis officium suscepisti, nil aliud quam ut episcopus fieres studuisti? Vacante dudum hac ipsa ecclesia, quam propter defectum tibi notum non poteras eligi, postulari magnis muneribus impetrasti. Sed noluit tuae cupiditati favere Martinus, virumque simplicem et omni carentem vitio<sup>6</sup> Nicodemum tibi praeposuit. Nec tu mei vicarii iudicio<sup>7</sup> quievisti<sup>8</sup>, ut<sup>9</sup> qui te majorem putabas. Nisi postquam vires<sup>10</sup> atque justitiam simul tibi<sup>11</sup> obstare vidisti, vicariatum Nicodemi suscepisti, sed immemor illorum beati Leonis verborum: *Qui se scit aliquibus esse praepositum, non moleste ferat aliquem sibi esse praelatum.*

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<sup>1</sup> noles B

<sup>2</sup> praeficiaris B

<sup>3</sup> tu L

<sup>4</sup> *omit.* B

<sup>5</sup> rerum B

<sup>6</sup> ambitione B

<sup>7</sup> Nicodemum ... iudicio *omit.* B [NB: A and L not derived from B]

<sup>8</sup> inquievisti B

<sup>9</sup> et B

<sup>10</sup> fieres B

<sup>11</sup> *omit.* B

[22] “What arrogance and what ambition is it that drives you, Johann, since you can only live if you become Bishop of Freising. Why are you so full of yourself? So presumptuous? Are you better than Ambrose,<sup>1</sup> holier than Gregory,<sup>2</sup> or more learned than Augustine?<sup>3</sup> They fled when they were called,<sup>4</sup> but you come when you have been rejected. They lamented that they were not let off, but you weep because you have been turned away. They asked to go away, you beg to stay on.<sup>5</sup> Do you really think that I am unaware of your ambition? Since you took the office of priesthood, you have desired nothing else than to become a bishop. When this Church became vacant<sup>6</sup> you could not legitimately be elected as its bishop because of a defect known to yourself,<sup>7</sup> but still you managed to be elected through great donations.<sup>8</sup> But Martin<sup>9</sup> would not favour your greedy ambition, and instead he appointed Nicodemus,<sup>10</sup> a simple man without ambitions, as Bishop [of Freising]. But believing yourself to be greater than my own Vicar,<sup>11</sup> you ignored his judgment. You only accepted to become the deputy of Nicodemus, when you saw that the forces opposing you as well as justice were against you.<sup>12</sup> But you did not remember those words of Saint Leo<sup>13</sup>: *A man who knows that he has been set above others, should not take it badly that others have been set above himself.*<sup>14</sup>

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<sup>1</sup> Ambrosius, Aurelius (c. 340-397). Archbishop of Milan to his death. Doctor of the Church. Saint

<sup>2</sup> Gregorius I (ca. 540-604): Pope 590 to his death

<sup>3</sup> Augustinus, Aurelius (354-430): Bishop of Hippo. Theologian. Doctor of the Church. Saint

<sup>4</sup> In his sermon on the feastday of Saint Ambrose in 1438, “*Si quis me roget*” [2], sect. 9, Piccolomini had described the desperate attempts of Ambrose to avoid becoming a bishop, in a passage beginning with the words: *But ambition, so prevalent in the present age, had not yet blemished the Church, and bishoprics were not yet sold for money (Sed nondum ea, quae nunc viget, ambitio macularat ecclesiam, nec adhuc pecunia vendebantur episcopatus)*

<sup>5</sup> This is an instance of the classical rhetorical device of opposition (*antithesis*)

<sup>6</sup> 1422

<sup>7</sup> A slur on the illegitimacy of Johann Grünwalder. However, Pope Martin V had already granted him a dispensation before the capitular election in 1422, cf. Mass, I, p. 297

<sup>8</sup> i.e. simony

<sup>9</sup> Martinus V [Oddone Colonna](1369-1431): Pope from 1417 to his death. His election at the Council of Constance effectively ended the Western Schism (1378-1417)

<sup>10</sup> Nicodemo della Scala (-1443): Descendant of the Scaliger Family of Verona and Vicenza. Appointed Bishop of Freising by Martin V in 1422 though the cathedral chapter had elected Johann Grünwalder. Counsellor of Albrecht II and Friedrich III. One-time employer (1432-1433) and friend of Piccolomini who made him one of the speakers in his *Pentalogus* of 1443-4, see Mass, I, p. 308. On his appointment to Freising, see Mass, I, pp.- 297-298

<sup>11</sup> The pope as vicar of God and Christ

<sup>12</sup> Mass, I, p. 298

<sup>13</sup> Leo I (c. 400-461). Pope from 440 to his death. Saint. Strong proponent of supreme papal authority

<sup>14</sup> Decretum, D.23.6., *Letter of Pope Leo I to Anastas. Thessal.* Quotation used in other letters and orations by Piccolomini

[23] Oboedientiam, quam a subditis exigebas, episcopo tuo nolebas dependere, sed illum nunc una, nunc alia via ex alto dignitatis gradu, ut sibi sufficereris, praecipitare curabas. In Hungaria, cum regem Albertum adversus Teucros sequeretur, extinctum eum<sup>1</sup> febribus confinxisti. In Basilea, quia Felici non oboediebat, procedi adversus eum provocasti<sup>2</sup>, et nisi boni viri tibi obstitissent, et illum deponi et te<sup>3</sup> sibi subrogari<sup>4</sup> fecisses. Is postquam obiit, rogati abs te sunt patres concilii<sup>5</sup>, ut postergatis decretis<sup>6</sup> ecclesiae Frisingensi motu proprio te praeficerent. Jamque duarum deputationum suffragia nactus eras, et in tertia res agebatur, cum regius supervenit orator tuis conatibus obviaturus. Nec tu {286v} propterea fractus animo, sed audacior magis itineri te commisisti tamque<sup>7</sup> celeriter Frisingam petivisti, ut non tam festinus olim Octavianus germanum visurus aegrotum ex Italia in Thraciam<sup>8</sup> pertransiverit<sup>9</sup>. Fuisti mox in capitulo. Scio, quibus es artibus usus. Scio, quot<sup>10</sup> promissa fecisti, quot munera dedisti<sup>11</sup>, quot<sup>12</sup> minas protulisti, ut electio in te caderet. O, qualem electionem, quam puram, quam mundam! Fallere alios potes; me, qui omnia video, non decipies. Tu pontifex eris, tu meus vicarius, tu meus unctus<sup>13</sup>! Abi, recede, fuge, non patent ambitiosis penetralia mea.

[24] Veniat Henricus potius, qui tanto est dignior, quanto se magis putat indignum. Hunc ego saepius ex caelesti regia objurgantem cum fratre audivi: "Mitte me, frater, in pace. Satis est mihi Prutensis<sup>14</sup> ecclesia. Absit, ut pontificio praesim<sup>15</sup>, qui presbyterii<sup>16</sup> non sum dignus officio." At tu, Johannes, nedum episcopatum, sed et papatum mereri te censes. Mihi vero<sup>17</sup> acceptior est Henrici verecundia<sup>18</sup> et<sup>19</sup> simplicitas quam data perspicacitas tua." Vides jam, Caesar, quomodo apud illud infallibile<sup>20</sup> Dei tribunal superiores essemus.

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<sup>1</sup> cum A

<sup>2</sup> procurasti B

<sup>3</sup> tibi B

<sup>4</sup> subrogatum B

<sup>5</sup> sunt patres concilii : patres concilii sunt B, L

<sup>6</sup> *omit.* L

<sup>7</sup> tamquam B, L

<sup>8</sup> detheciam B; Phenam L

<sup>9</sup> pertransierit B

<sup>10</sup> que A

<sup>11</sup> *omit.* B

<sup>12</sup> quae A

<sup>13</sup> tu meus unctus *omit.* B [NB: A and L not derived from B]

<sup>14</sup> in Pructensi B; in Pruszensi L

<sup>15</sup> praesum B

<sup>16</sup> presbiteri A, L

<sup>17</sup> autem B, L

<sup>18</sup> verecunda L

<sup>19</sup> *omit.* A, L

<sup>20</sup> quam ... infallibile : ante B [NB: A and L not derived from B]

[23] The obedience you demanded from your subjects you would not show your own bishop. On the contrary, you endeavoured in various ways to remove him from his high office so that you could be appointed in his place. When he was in Hungary,<sup>1</sup> following King Albrecht against the Teucrians,<sup>2</sup> you falsely gave out that he had died of fever. In Basel, you caused proceedings to be initiated against him because he did not obey Felix,<sup>3</sup> and unless good men had intervened, you would have managed to get him deposed and be appointed in his stead.<sup>4</sup> When he died,<sup>5</sup> you petitioned the council fathers to set aside [their own] decrees and appoint you Bishop of Freising on their own initiative and authority.<sup>6</sup> You had already gained the votes of two deputations and the matter was under discussion in the third,<sup>7</sup> when the King's envoy<sup>8</sup> arrived to counter your efforts. Undaunted you departed and went to Freising as quickly as possible – though not as speedily as Octavian once hastened from Italy to Thracia to visit his sick brother.<sup>9</sup> Anyhow, quite soon you appeared in the Cathedral Chapter. I know what tricks you used. I know what promises you made, how many gifts you gave, and how many threats you made in order to be elected.<sup>10</sup> Oh, what an election, how pure, how spotless!<sup>11</sup> But though you may be able fool others, you cannot deceive me for I see all. You would be bishop, you would be my vicar, you would be my anointed!<sup>12</sup> Away with you, depart, flee, for my innermost chambers are not open to ambitious people like you.

[24] Rather, let Heinrich come: the more unworthy he considers himself to be, the more worthy he is. From Heaven, I have often heard him begging his brother: "Leave me in peace, brother. My parish in Prussia<sup>13</sup> is enough for me. I should not become a bishop for I am not even worthy of being a priest." But you, Johann, you think that you deserve to be bishop, nay pope! I would much rather have Heinrich's modesty and simplicity than your cleverness."

Now you see, Caesar, how we would prevail at the infallible tribunal of God.

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<sup>1</sup> 1439

<sup>2</sup> i.e. Turks

<sup>3</sup> Felix V = Amedée VIII (1383-1451) : Count, later Duke of Savoy. In 1439 elected antipope under the name of Felix V by the Council of Basel, after its dissolution by Pope Eugenius IV

<sup>4</sup> On the conflict between Nicodemo and Grünwalder, see Mass, I, p. 307

<sup>5</sup> 13 August 1443

<sup>6</sup> "motu proprio", i.e. without a capitular election

<sup>7</sup> The Council was composed of four "deputations": the Deputation on Faith (fidei), the Deputation on Peace (pacis), the Deputation of Reform (reformatorii), and the Deputation on Common Concerns (pro communibus). Every decision made by three of these four "deputations" would be ratified in a general congregation. The Council was therefore quite close to approving Grünwalder's election when the royal envoy arrived

<sup>8</sup> Hartung von Kappel, see Voigt, II, p. 312

<sup>9</sup> Source not identified

<sup>10</sup> The capitular election took place on 13 September 1443. Grünwalder held his solemn entry in Freising, as its new bishop, on 10 October 1444, see Mass, I, pp. 310

<sup>11</sup> Piccolomini dripping irony

<sup>12</sup> Possibly meaning: you would be bishop, you would be pope, indicating unbridled ambition – or just meaning anointed bishop and God's vicar in his own diocese, cf. the following section

<sup>13</sup> Bunzlau, see Voigt, II, p. 311

[25] Sed est nunc coram hominibus iudicium agitandum, apud quos saepe plus gratia quam veritas valuit, quod etsi apud alios formidarem, in<sup>1</sup> te tamen nullatenus pertimesco, quia et mundas manus et cor purum te semper habere perpendi. Nondum tamen ad tuum iudicium venio. Eugenii prius sententiam videamus, cui si velit adversarius acquiescere, et nos etiam quidquid sanctissima illa sedes dictaverit pronis animis amplectemur. Nec jugum, quod Christi vicarius imposuerit, excussa cervice rejiciemus<sup>2</sup>, quamvis ejus sententiam quis meo germano formidabilem putet, cum is eum promoverit. Scit Eugenius, quia nec tu, Caesar, pro meo fratre umquam scripsisti. Nec frater ipse pro se umquam instetit. Scit quia nulla pecunia nullaque labe res gesta est. Non dicerem aliud coram Eugenio, nisi verba haec: "Henricum, germanum meum, vox tua pronuntiavit episcopum: *opera manuum tuarum ne despicias.*" Nec plura locutus dicendi locum quam vellet amplissimum Johanni dimitterem. Sed non arbitror illum in hoc certamen venturum, quia nec pecunias ibi, nec minas sibi prodesse confidit.

[26] Quod si apud Basiliense concilium res agi deberet<sup>3</sup>, si jus nostrum illic probare non valeremus, quoniam Eugenium negant pontificem fore, parti tamen adversae nec<sup>4</sup> jus ullum nec juris colorem competere, demonstraremus. Sciunt enim Basilienses, quia non valet electio vel minis procurata vel pecuniis empta, quodque arcendi sunt ab omnibus dignitatibus ambitiosi et simoniaci. Nec nobis arduum esset electionem istam ex multis capitibus infirmare. Post hoc de confirmatione dissertaremus, quae etiam si valuisset<sup>5</sup> electio, per metropolitanum confirmari non potuit. Archipraesul namque Salzburgensis concilium supra se habet, nec negare concilium potest<sup>6</sup>, quia si non est concilium, nec ipse archiepiscopus est, qui ab eo<sup>7</sup> confirmationem suscepit.

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<sup>1</sup> aput B

<sup>2</sup> rejiciamus B, L

<sup>3</sup> debere A

<sup>4</sup> me A

<sup>5</sup> valuisse A

<sup>6</sup> nec negare ... potest *omit.* A [NB: B and L not derived from A]

<sup>7</sup> qui ab eo : ab eo qui A

## 2.2. In relation to Pope Eugenius

[25] But now we must plead our case before men. They are often moved more by bias than by truth. That, however - though I might fear it in others - I absolutely do not fear in you since I know very well that your hands are clean and your heart is pure. But I am not yet coming to your tribunal since we shall first hear the judgment of Eugenius. If our adversary accepts it, then we too shall wholeheartedly accept the decision of the Holy See. Certainly, we shall accept any yoke that the Vicar of Christ would put on our shoulders – though who believes that my brother should fear Eugenius’s judgment when it was Eugenius himself who appointed him? Eugenius knows that you, Caesar, never wrote to him on behalf of my brother<sup>1</sup> and that my brother never put himself forward. He also knows that his cause is not compromised by money or procedural faults.<sup>2</sup> So, before Eugenius I would only say this: “By your own voice you pronounced my brother Heinrich bishop: *despise not the works of thy hands.*”<sup>3</sup> And with no further words<sup>4</sup> I would give Johann as much opportunity to speak as he might wish. But I do not think that he would come to do battle in that place, for there<sup>5</sup> neither money nor threats will help him.

## 2.3. In relation to the Council of Basel

[26] But let us presume that the case was submitted to the Council of Basel: if we were not able obtain its [confirmation of] our rights because they deny that Eugenius is pope, then we would prove that our counterpart has no right in this matter or anything that resembles it. For the Basileans know that an election is not valid if it is obtained by threats or bought with money and that all ambitious and simoniacal men should be denied office.<sup>6</sup> It would certainly be easy for us to prove that this election is invalid on many grounds. After that we would discuss the confirmation:<sup>7</sup> even if the election was valid, the metropolitan could not confirm it for the Archbishop of Salzburg depends on the authority<sup>8</sup> of the Council, and he cannot deny the Council. But since the Council is not a [legitimate] council, the archbishop is not a [legitimate] archbishop, having received the confirmation of his election from the it.

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<sup>1</sup> The point may be that the emperor had not tried to influence the pope and his cardinals before their election of the chancellor’s brother, cf. the conciliar decree *Quemadmodum in construenda*, of 13 July 1433 (Session XII), p. 471. If this is so, the chancellor conveniently forgets to mention the letters that he himself sent both to the pope and to the cardinals

<sup>2</sup> The understanding between the chancellor and the pope that the chancellor would favour the papal cause against the Council’s at the Imperial Court and that the chancellor’s brother would be given a bishopric was, however, so much of a quid-pro-quo that at least German historians consider the chancellor’s cause to have been tainted by intrigue, self-interest, and opportunism, see Voigt, II, pp. 308 ff. and Mass, I, pp. 310-311

<sup>3</sup> Psalms, 137, 8: *O despise not the works of thy hands*

<sup>4</sup> Vergilius: *Aeneis*, 7.599

<sup>5</sup> At the pope’s tribunal

<sup>6</sup> Cf. the conciliar decree *Quemadmodum in construenda*, of 13 July 1433 (Session XII), p. 471: *Quod si aliter aut ... per simoniacam pravitatem electionem fieri contigerit, electio sit ipso jure irrita et inanis*

<sup>7</sup> Heinrich Grünwalder had obtained confirmation of the capitular election from the metropolitan, the Archbishop of Salzburg

<sup>8</sup> “supra se habet”. Because his own election as archbishop was confirmed by the Council

[27] Quaeris quare nequiverit haec confirmatio fieri. Paucis, attende, docebo. Quattuor praelati post obitum Nicodemi apud concilium<sup>1</sup> electi fuerunt, hisque data potestas est preces, quas pro Henrico porrexisti, et electionem, quae fieret, examinandi {287r} magna<sup>2</sup> contioni<sup>2</sup> referendi, ut ibi Frisingensi provideretur<sup>3</sup> ecclesiae. Haec commissio electionis confirmationem<sup>4</sup> concilio reservavit Salzburgensisque manus pontificis alligavit. Nulla est igitur confirmatio. Quid plura? Perdidit et jus suum Johannes, si quod habuit, qui non confirmatus administrationi<sup>5</sup> sese immiscuit. Nec interest nullum confirmari<sup>6</sup> et numquam confirmari. Quod si plenarium esset Basiliense concilium, nec<sup>7</sup> de pontificio quaestio foret, dicerem patribus congregatis: "Quoniam vos pacto alligatam<sup>8</sup> vultis apostolicam sedem, ne praeter electionem possit ecclesiis cathedralibus providere, cur<sup>9</sup> vos, qui legem<sup>10</sup> sanxistis, jam legem in hac ecclesia Frisingensi volueritis abrogare? Vos electionem<sup>11</sup> in ecclesia Maurianensi<sup>12</sup> conturbastis. Vos episcopum Argentinensibus<sup>13</sup> praeter electionem dedistis. Vos<sup>14</sup> papae vestro Felici tres dignitates seclusis electionibus reservastis. Vos<sup>15</sup> adversario nostro<sup>16</sup>, qui nunc tantopere vestra decreta commendat, Frisingensem praeposituram electione postposita contulistis.

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<sup>1</sup> apud concilium *omit.* L

<sup>2</sup> condicioni A

<sup>3</sup> provideret A

<sup>4</sup> confirmationis L

<sup>5</sup> administratione B

<sup>6</sup> confirmare B

<sup>7</sup> ne A

<sup>8</sup> allegatam B

<sup>9</sup> cum B, L

<sup>10</sup> *omit.* B

<sup>11</sup> *omit.* L

<sup>12</sup> Maiurinensi B; Monirianensi L

<sup>13</sup> Argentinensem B, L

<sup>14</sup> nos L

<sup>15</sup> nos L

<sup>16</sup> vestro B

[27] You ask why Heinrich's election could not be confirmed. Hear what I shall briefly say. After the death of Nicodemus, four prelates were chosen by the council with the remit to examine the petition that you yourself<sup>1</sup> made on behalf of Heinrich and the election to be held, and to report back to the General Assembly which would then decide who should be made Bishop of Freising. By appointing this committee, the council reserved the confirmation of the election to itself and thereby bound the hands of the Archbishop of Salzburg. Thus there is no [proper] confirmation. What more? Johann lost all rights if he had any when, without having been [properly] confirmed,<sup>2</sup> he intruded himself into the administration of the diocese. For there is no difference between not having been confirmed and never being confirmed.

If the Council in Basel was a General Council and there was no doubt about who was the pope, then I would say to the assembled Fathers: "If you want the Apostolic See to be obliged only to appoint bishops who have been elected by the cathedral chapter, then why do you want, in the case of the Church of Freising, to abrogate the law that you passed yourselves? You also interfered with the election to the Church of Maurienne.<sup>3</sup> You gave Strassbourg a bishop without an election. And you have reserved three episcopal appointments without election to Felix. And now you have, with no regard for the election, bestowed the episcopal office of Freising upon our adversary, who is most happy with your decision."<sup>4</sup>

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<sup>1</sup> I.e. the emperor through his envoy

<sup>2</sup> I.e. by the council itself

<sup>3</sup> Louis de la Palud was appointed Bishop of Maurienne by the council in 1441

<sup>4</sup> Piccolomini reasonably points to the inconsistency of the council with regard to its own decrees concerning capitular election, see Voigt, II, pp. 308-309

[28] Cur legem, quam tulistis, ipsi non toleratis? Cur non liceant summo pontifici, quae<sup>1</sup> vobis licere contenditis? Quid praeterea vos urget, ut meliores per canonicos quam per<sup>2</sup> apostolicam sedem creari episcopos arbitremini? Videantur episcopi capitulares et apostolici seorsum. Hi litterati, prudentes, modesti, facundi, liberales, conversaturi, illos non describam, vos eos videtis. Ego paucos novi, qui per internuntios non loquantur. *Pares cum paribus* veteri proverbio facillime congregantur. Nec canonici alios sibi pastores eligunt, nisi suorum participes morum. Possunt exinde capitula per principes cohaereri, nec verum est<sup>3</sup>, datam esse canonicis per vestrum decretum eligendi potestatem, sed principibus esse promissam. Vix enim canonici reperiuntur aliqui, quos non oporteat vel exulare vel ex arbitrio principum eligere. Apostolicae vero sedis electio tanto dignior est quam capituli, quanto<sup>4</sup> per viros est facta<sup>5</sup> sublimiores<sup>6</sup> quantoque est ab omni metu liberior Romani pontificis auctoritas. Sed transeamus ista, quae nec locus nec tempus requirit. Vides jam, Caesar<sup>7</sup> religiosissime, causam nostram apud Deum esse defensam, apud Eugenium nihil habere dubietatis, apud concilium tam validam esse quam adversarii.

[29] Nunc coram tua serenitate et astantibus tibi<sup>8</sup> principibus perorandum est. Quo in loco, nisi me fallit affectio, luce clarius ostendetur jus adversario nostro nullum competere, germanumque meum verum esse ecclesiae Frisingensis episcopum. Adhibe jam aures, Caesar, et vos consedentes, attendite. Non vobis enigmata legum proponam<sup>9</sup>, sed res tum oculis videndas tum manibus palpandas enarrabo. Mortuo Nicodemo, quem jam pluries nominavimus, pridie quam Frisingensis celebraretur electio, frater meus in collegio cardinalium, quod tunc erat Senis, per summum pontificem, Eugenium papam quartum, ecclesiae Frisingensis pronuntiatus fuit episcopus. Die sequenti Johannes adversarius est electus, si dici potest electus, qui minis, precibus, pecuniis est electus.

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<sup>1</sup> qui A

<sup>2</sup> *omit.* A

<sup>3</sup> *omit.* B

<sup>4</sup> quantos A

<sup>5</sup> *omit.* B

<sup>6</sup> et *add.* A

<sup>7</sup> quae nec ... Caesar *omit.* L [A and B not derived from L]

<sup>8</sup> *omit.* A

<sup>9</sup> enigmata legum proponam : legum proponam enigmata B

[28] Why can you not live with the law<sup>1</sup> that you passed yourselves? Why must the Supreme Pontiff not do what you claim to have the right to do yourselves? And what makes you believe that bishops elected by canons are better than bishops appointed by the Apostolic See? Let us look at the capitular bishops<sup>2</sup> and the apostolic<sup>3</sup> bishops separately. The apostolic bishops are learned, wise, modest, fair-spoken, generous, and civil. The capitular bishops I shall not describe, you are familiar with them. I know only a few who do not have to speak through intermediaries.<sup>4</sup> According to an old proverb, *birds of a feather flock together*, and, indeed, canons only elect such shepherds as share their ways. [After the election] the chapters have to obtain the assent of the princes; it is not true that by your decree canons have been given the final say in the election, for that has been promised to the princes.<sup>5</sup> There are very few canons who ought not be rejected or be chosen according to the wish of the princes. But the choice made by the Apostolic See is much more worthy than the election by the chapters, because it is made by much higher-ranking men, and because the authority of the Roman Pontiff is free of all fear. But let us pass over this matter, for this is neither the place nor the time.

Anyway, you now see, oh Pious Emperor, that God favours our cause, that there is no doubt about it in relation to Eugenius, and that in relation to the council it is just as valid as our adversary's.

## 2.4. In relation to the emperor

[29] So, now we must address Your Serenity and the princes who are present. Unless sentiment deceives me, it will become quite evident that that our opponent does not have justice on his side, and that my brother is the true Bishop of Freising. Lend me your ears, Caesar, and listen carefully, you who are present.<sup>6</sup> I shall not trouble you with legal subtleties, but say simple things that you may see with your own eyes and touch with your own hands. At the death of Nicodemus, whom we have now mentioned several times, and before the election was held in Freising,<sup>7</sup> my brother was declared Bishop of Freising by the Supreme Pontiff, Pope Eugenius IV, in the College of Cardinals, then residing in Siena.<sup>8</sup> The day afterwards, our adversary, Johann, was elected bishop<sup>9</sup> - if you can call someone elected who won the election by threats, pleas, and money.

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<sup>1</sup> E.g. the conciliar decree *Quemadmodum in construenda*, of 13 July 1433 (Session XII)

<sup>2</sup> i.e. bishops elected by canons in cathedral chapters

<sup>3</sup> i.e. bishops appointed by the pope

<sup>4</sup> Presumably because their general competence or (Latin) language skills are insufficient

<sup>5</sup> This is not mentioned in the conciliar decrees as such. Piccolomini may be referring to the Concordat of Worms of 1122 whereby religious investiture of bishops was reserved for ecclesiastics, but the princes retained the right of investing bishops with the regalia, i.e. the temporal rights of their dioceses. In general, princes managed to exercise great influence in the appointment of bishops and have such influence recognized in their concordats with the popes

<sup>6</sup> "consedentes": you who are sitting with him

<sup>7</sup> On 13 September 1443

<sup>8</sup> 12 September 1443

<sup>9</sup> The speaker carefully points out that the papal appointment did in fact precede the capitular election

[30] Nunc harum electionum, quae sit potentior<sup>1</sup>, judicemus. Meum germanum pontifex Romanus elegit. In collegio cardinalium meus germanus electus est. Fratrem meum viri doctissimi et<sup>2</sup> tum sanctimonia vitae, tum litterarum scientia commendatissimi {287v} cardinales elegerunt. Tu scis, Caesar, qualis senatus est cardinalium, quanta<sup>3</sup> ibi<sup>4</sup> prudentia est, quantum lumen, quanta munditia. Non<sup>5</sup> ibi praeter examen res ulla geritur. Nihil illic<sup>6</sup> temere, nihil inconsulte tractatur. Maturi viri sunt, grandaevi, experti. Nil<sup>7</sup> agunt *quod post factum poeniteat effecisse*. Meum germanum horum collegium creavit episcopum. At Johannem quinam<sup>8</sup> - obsecro - delegerunt<sup>9</sup>? Nolo cuiquam detrudere: qui sunt canonici Frisingenses tute noscis<sup>10</sup>. Nullum vitupero, nullum accuso. Illud libere possum dicere, quia non est ecclesiae Frisingensis capitulum<sup>11</sup> Romano collegio comparandum. Quod si cadere in me possit<sup>12</sup> electio Romani pontificis et cardinalium electionem sine possessione potius eligam quam cum possessione Frisingensis capituli iudicio posci<sup>13</sup>. Non sunt tam arrogantes canonici<sup>14</sup> Frisingenses, ut<sup>15</sup> se velint cardinalium coetui pares ostendere. Sit igitur haec una ex praerogativis mei germani, quia<sup>16</sup> per digniores quam adversarius est electus.

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<sup>1</sup> pocior B, L

<sup>2</sup> *omit.* B

<sup>3</sup> quantus B

<sup>4</sup> in B

<sup>5</sup> nam B

<sup>6</sup> *omit.* B

<sup>7</sup> nichil B

<sup>8</sup> sunt *add.* B

<sup>9</sup> *omit.* B

<sup>10</sup> scis B

<sup>11</sup> ecclesiae Frisingensis capitulum : capitulum ecclesiae Frisingensis B

<sup>12</sup> in me possit : possit in me B

<sup>13</sup> postea B

<sup>14</sup> *omit.* B

<sup>15</sup> quod B

<sup>16</sup> qui B

### 2.4.1. Papal appointment of Heinrich Schlick carries more weight than capitular election of Johann Grünwalder

[30] We shall now consider which of these two elections carries the greatest weight. My brother was chosen by the Roman Pontiff. He was elected by the College of Cardinals. He was elected by learned cardinals of great holiness and erudition. You yourself know, Caesar, what the senate of cardinals is like, how great is the wisdom there, how great the light, how great the purity. There everything is treated with careful consideration. Nothing is done randomly or thoughtlessly. The cardinals are elderly, mature, and experienced men. They do nothing *that they will afterwards regret*.<sup>1</sup> That is the college which made my brother bishop.

But what kind of men - I ask - elected Johann? I will not criticize anybody: you yourself know very well who the canons of Freising are. I blame nobody, I accuse nobody. But this I can freely say: the Chapter of the Church of Freising may not be compared to the Roman College. For myself, I would much prefer being chosen by the Roman Pontiff and the cardinals and not getting actual possession<sup>2</sup> to being elected by the Chapter of Freising and getting actual possession. But, of course, the canons of Freising are not so arrogant that they pretend to equal the assembly of cardinals.

So, let this be one of the advantages of my brother: he was elected by worthier men than our adversary.

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<sup>1</sup> Cicero, *Tusculanae Disputationes*, 5.28.81: *nihil facere quod poenitere possit*

<sup>2</sup> Possession, i.e. of the office and the properties of the diocese

[31] Nunc ad unicum partis adversae fundamentum perveniamus. Decretum esse Basiliensis concilii dicunt, quod ecclesiis pastore carentibus per viam electionis praecipit provideri reservationesque tollit, adversus quod non licet Romano pontifici<sup>1</sup> aliquid agere, nisi ex magna causa in litteris suae provisionis exprimenda. Et quia decretum hoc per nationem nostram<sup>2</sup> receptum est, et adversarius juxta illius tenorem electus<sup>3</sup>, fratrem meum relinqui et illum admitti<sup>4</sup> debere suadent. Sed auferamus clavam<sup>5</sup> de manu Herculis. Veniat adolescentulus David gigantemque feriat. Non est insolubile, ut quidam rentur, hoc argumentum. Dicitur est, quia *juvari lege non debet, qui legem offendit*, ut is qui Frisingensis praepositurae Johanni<sup>6</sup> procuravit electionem.<sup>7</sup> Sed transeo ista. Audi aliud, Caesar, praebe aures, adhibe mentem, absint nunc meditationes aliae. Pulchrum est et audientia dignum<sup>8</sup>, quod nunc exponam.

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<sup>1</sup> sacerdoti A, L

<sup>2</sup> *omit.* B

<sup>3</sup> elector B

<sup>4</sup> dimitti L

<sup>5</sup> clavem B

<sup>6</sup> *em.*; Caspari A, L; Caesari B

<sup>7</sup> *textus corruptus?*

<sup>8</sup> digni A

## 2.4.2. Papal appointment of Heinrich Schlick is legal

*... since the conciliar decrees accepted by the German Nation are not binding on the pope*

[31] And now we come to the only solid basis for [the argumentation] of our adversary. They say that the Council of Basel has passed a decree ordaining that vacant dioceses should be provided [with bishops] through the procedure of election, and forbidding reservations. It also stipulates that the Roman Pontiff may disregard the election but only for very important reasons that must be stated explicitly in his letter of provision.<sup>1</sup> And since this decree has been accepted by my nation<sup>2</sup> and our adversary has been elected according to it, they argue that my brother must be disregarded and Johann accepted.

But let us snatch the club from Hercules' hand,<sup>3</sup> and let there appear a young David to smite the giant.<sup>4</sup> Contrary to what some are saying, this argument is not unanswerable. It is said *that those who break the law shall not be helped by the law*,<sup>5</sup> like the one who procured the election of Johann as Bishop of Freising.<sup>6</sup> But this I leave aside. Hear, Caesar, something different, lend me your ears, and open your mind. Let other thoughts be banished, for what I am going to say now is fascinating<sup>7</sup> and worth hearing.

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<sup>1</sup> See the list of decrees in Stieber, pp. 408-409: Appendix F. The Decrees of the Council of Basel on succession to Clerical Benefices, especially their Reservation, Taxation and Confirmation by the Pope

<sup>2</sup> In Mainz, on 26 March 1439

<sup>3</sup> Hercules: the Roman name for the Greek divine hero Heracles, who was the son of Zeus. Associated with great strength and often depicted with a club

<sup>4</sup> 1. Kings 17

<sup>5</sup> A variant of a legal maxim

<sup>6</sup> There seems to be a problem with this passage, see the critical apparatus which has Kaspar (Schlick) or the emperor himself

<sup>7</sup> "pulchrum"

[32] Non infitior decreta Basiliensis synodi<sup>1</sup> per nationem nostram apud metropolim Maguntinam fuisse recepta. Sed heus tu, Caesar, nulla principum<sup>2</sup> acceptatio Romano pontifici legem praescribere potest aut<sup>3</sup> os claudere vel manus ligare, quia non ab homine, sed a Deo privilegiata est apostolica sedes. Christi vicarius est Romanus papa, ipse ovium pastor sibi que non vel<sup>4</sup> hoc vel illud, sed *quidquid ligaveris super terram, erit ligatum in coelo*, dominus dixit. Ejus est solvere, ejus est aperire. Ipse damnare potest<sup>5</sup>, ipse beare. Principes ovium loco sunt: non obligant oves pastorem suum, sed a pastore potius obligantur. Acceptaverit natio decreta, sicuti<sup>6</sup> velit. Liber tamen papa remanet, nec ei praejudicium fieri potest, quominus auctoritate sua utatur. Nec propterea jus pontificum quisquam<sup>7</sup> amittit<sup>8</sup>, quia decreta principum sunt contra eum. Possem tibi ad haec tum canones, tum sanctos doctores in testimonium adducere. Sed frustra lumen candela ante solem ducitur meridianum. Discreta sunt principum et sacerdotum officia. *Nec alter mittere falcem in alterius messem debet. Ego faciam*, inquit Ambrosius, *quod sacerdotis est<sup>9</sup>, quod imperatoris est, faciat imperator*. Cum ergo in rebus ecclesiasticis non sit principum ponere {288r} legem, constat, quia per acceptationem Maguntiae factam nil obstat Eugenio, quominus ecclesiae Frisingensi dare praesulem valeat. Abstulimus jam Herculi clavam. Jam Hectori gladium eripimus<sup>10</sup>.

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<sup>1</sup> concilii B

<sup>2</sup> pontificum L

<sup>3</sup> ut B

<sup>4</sup> *omit.* L

<sup>5</sup> *omit.* A

<sup>6</sup> sicut B

<sup>7</sup> quisnam B; quisquis *corr.* ex quisquam L

<sup>8</sup> omittit B

<sup>9</sup> *omit.* B

<sup>10</sup> eripuimus A

[32] I do not deny that the decrees of the Synod of Basel were accepted by our nation in the metropolitan city of Mainz. But know, Caesar, that no Acceptation by princes can impose a law on the Roman Pontiff, silence him, or bind his hands, for the Apostolic See has been given its right and privileges not by man, but by God. The Roman Pope is the Vicar of Christ, he is the shepherd of the sheep, and it is to him that the Lord said – so importantly - that ***whatsoever thou shalt bind upon earth, it shall be bound also in heaven.***<sup>1</sup> His is the task to loose, to open up, to condemn and to bless. The princes are his sheep: it is not the sheep which may make demands of their shepherd, but the shepherd who may make demands of the sheep. The Nation may accept any decrees it pleases, but the pope remains free, and he cannot be put under obligation not to use his authority. No pope can lose his rights because princes decree anything against him. I could quote you both canons<sup>2</sup> and holy [church] doctors to this effect. But to place a lighted candle before the midday sun is quite useless.<sup>3</sup> Princes and priests have different offices. *One should not use one's sickle to harvest another's field.*<sup>4</sup> And Ambrose said that *I shall do what a priest should do. Let the emperor do what an emperor should do.*<sup>5</sup>

So, since princes do not have the right to make laws concerning ecclesiastical affairs, it follows that the Acceptation decreed in Mainz does not prevent Eugenius from appointing a Bishop of Freising. Thus we have taken Hercules' club away, and thus we have robbed Hector of his sword.

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<sup>1</sup> Matthew, 16, 18

<sup>2</sup> I.e. paragraphs from for Canon law, i.e. Church law

<sup>3</sup> I.e. the matter is so self-evident that it needs no corroboration

<sup>4</sup> Decretum, C.6.3.1. Deuteronomy, 23, 25

<sup>5</sup> Historia tripartita, 9.30, p. 546. Also used by Piccolomini in his sermon on Saint Ambrose, "*Si quis me roget*" [2], sect. 29

[33] Pulchrum est armis tales heroas spoliasse, sed pulchrius erit, si eos suis telis suisque mucronibus confodiamus<sup>1</sup>, sicut e vestigio faciam, si te, Caesar, attentum videro et vos circumstantes audire<sup>2</sup> paratos. Acceptarunt principes<sup>3</sup> nostri synodales sanctiones, jam sum fassus, non ibo<sup>4</sup> infitias. Sed haec potissimum acceptatio Johannem exclusit. Itaque mortem inde suscipiet adversarius, unde vitam speravit. Aspiciamus decretorum receptionem, agentesque pingui Minerva non partem, sed totam<sup>5</sup> suspiciamus<sup>6</sup> acceptationem. Quis<sup>7</sup> - obsecro - textus est acceptationis? Surgat aliquis, qui exponat; non expectabo, jam scimus! Omnia decreta concilii recipimus atque amplectimur, inquiunt principes. Duo solum refutamus: suspensionis ac depositionis papae. Habeo jam quod volo, leporem teneo. Quid sibi vult haec exceptio, nisi adhuc Eugenium pro summo teneri pontifice<sup>8</sup>? Causam igitur coram te, Caesar<sup>9</sup>, agimus, qui summum pontificium apud Eugenium recognoscis, quia sic neutralitatis institutio decretorumque receptio jubet. Si papa est Eugenius, quis papae neget ecclesiis dare pontifices? Quod Deus beato Petro suisque successoribus dedit, homo non auferat. Hic episcopum meum fratrem<sup>10</sup> creavit. Quis tam temerarius erit, ut sedis illius sanctissimae velit auctoritati resistere? "Sed ait decretum non licere primo<sup>11</sup> pontifici electionibus contraire nisi ex magna et urgente<sup>12</sup> causa in litteris apostolicis exprimenda." Ex causa igitur potuit Eugenius electioni praejudicare. Taceo, quod hoc decretum sua sanctitas non recepit. "Sed causam exprimere debuit. Non expressit. Ergo non valet<sup>13</sup> provisio." Quis ex tam levi causa apostolicae sedis ordinationem audeat impugnare? Quid si causa legitima incidit, quae causam exprimi non permisit? Ridiculum est tam frivolis argumentis Romani pontificis accusari<sup>14</sup> tribunal.

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<sup>1</sup> confidiamus A

<sup>2</sup> *omit.* B

<sup>3</sup> parentes B

<sup>4</sup> ibi L

<sup>5</sup> totum B

<sup>6</sup> suscipiamus L

<sup>7</sup> quid B, L

<sup>8</sup> pontifici B

<sup>9</sup> Caspar B

<sup>10</sup> meum fratrem : fratrem meum B, L

<sup>11</sup> non licere primo : primo non licere B

<sup>12</sup> urgente L

<sup>13</sup> valet B

<sup>14</sup> accusare B

... and since the Germans have not accepted the deposition of the pope

[33] It is, indeed, wonderful to deprive such heroes of their weapons, but it is even more wonderful to transpierce them with their own spears and swords, which I shall do directly, Caesar, if I see that you are attentive and that all you who are present are ready to listen. I have already said and do not deny that our princes have accepted the synodal<sup>1</sup> decrees. But it is by virtue of this very Acceptation that Johann is excluded. Thus our adversary finds death where he hoped to find life. Let us look at the Acceptation of the decrees, and as a Fat Minerva<sup>2</sup> we shall not look at part of it, but at the whole. What – I ask - does the Acceptation state expressly? I shall not wait for someone to rise and explain it, for we already know it. The princes state that “we accept and embrace all the decrees of the Council except two which we reject: the suspension and deposition of the pope.”<sup>3</sup> Here I have what I want, and beautifully so. For what does this exception mean other than that Eugenius is still considered to be pope? Thus we are pleading this case before you, Caesar, who have recognized that Eugenius is the pope – for this explicitly follows from the state of Neutrality and the Acceptation of the decrees. And if Eugenius is pope, who will deny him the right, as pope, to appoint bishops? What God gave to Saint Peter and his successors, no man may take away. The pope is the one who made my brother bishop. Who will be so foolhardy as to resist the authority of the Holy See? “But the decree does not allow the pontiff to oppose elections except for a great and urgent reason that must be stated expressly in the apostolic<sup>4</sup> letter.”<sup>5</sup> So, for such a reason Eugenius could actually quash the election! (I pass over that His Holiness has actually not accepted that decree.) “But he should have stated his reason.<sup>6</sup> He did not do so, and therefore his own appointment is not valid.” Who will presume to criticize the decision of the Apostolic See for so insignificant a cause?<sup>7</sup> What if the legitimate reason was such as could not be stated openly?<sup>8</sup> It is ridiculous to accuse the tribunal of the Roman Pontiff with so frivolous arguments.

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<sup>1</sup> I.e. conciliar

<sup>2</sup> Pinguis Minerva, see Horace: *Satires*, 2.2.3: *Crassa Minerva*, in the sense of intellectual laziness

<sup>3</sup> Cf. the decree of Acceptation

<sup>4</sup> I.e. papal

<sup>5</sup> Cf. the conciliar decree *Quemadmodum in construenda*, of 13 July 1433 (Session XII): *Decernitque haec sancta synodus ... ut contra hoc salutare decretum Romanus pontifex nihil attentet, nisi ex magna rationabili ac evidenti causa litteris apostolicis nominatim experimenda*

<sup>6</sup> I.e. for not accepting the capitular election

<sup>7</sup> The explicitly stated reason is of course not insignificant at all, for according to the conciliar decree accepted by the Germans its absence invalidates the papal appointment

<sup>8</sup> Such as saying in an official papal letter that a son of a Bavarian Duke was illegitimate, schismatic, and simoniacal?

[34] Sed obstruamus amplius adversantium ora, jugulemus hostem jaculis suis<sup>1</sup>. Quid adversarius tantopere decretorum receptionem commemoret? Siluisse sibi satius fuerat, nam cum plurima sint, quae Johannis electionem vulnerant, haec receptio necat, extinguit, sepelit. Vult decretum concilii habiles fore, qui eliguntur. Receptio vero principum Johannem declarat<sup>2</sup> inhabilem indignumque pontificio. Sciscite - obsecro - circumstantes, nisi quod dixi probaverim, causa excidam. Dictum est, quia receptio papam Eugenium profitetur. Papa vero sicut et Phoenix unicus<sup>3</sup> tantum<sup>4</sup> esse debet. Ergo apud nationem nostram schismaticus est et idolum potius quam papa, quisquis Eugenio vivo summi pontificatus se fastibus ornat. Quid plura: schismatici omnes sunt, qui ejus vel dignitates vel officia suscipiunt. Quodsi forsitan in aliis dubium fuerit<sup>5</sup>, in cardinalibus certe nulla remanet ambiguitas. Ex quo fit, ut adversarius noster, qui rubeum galerum ex Felice recepit<sup>6</sup>, apud te, Caesar, pro schismatico debeat<sup>7</sup> reputari, quia sic ex decretorum receptione colligitur<sup>8</sup>. *Schismaticus* vero, sicut firmiter tenet et nullatenus dubitat Augustinus, *extra ecclesiam est, et nisi ante finem vitae resipuerit, cum diabolo et angelis ejus perpetuo {288v} debet igne cremari*. Ostendi jam tibi schismaticum esse Johannem. Si schismaticus, ergo extra communionem ecclesiae. Si excommunicatus, ergo ineligibilis. Si non eligi potuit, patet, quia nec confirmari electio potuit, quam constat nullam fuisse. Jam me tenetis, astantes, quia probatum est decretorum receptionem<sup>9</sup>, quam Johannes allegat, sibi potissimum esse contrariam. Ita fit saepe, ut credens se aliquis salutiferae crucis signo munire digitum detrudat in oculos.

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<sup>1</sup> jaculis suis : suis jaculis B

<sup>2</sup> declaruit L

<sup>3</sup> Phoenix unicus : unicus Fenix B

<sup>4</sup> *omit.* L

<sup>5</sup> fuerat B

<sup>6</sup> accepit B

<sup>7</sup> debet B

<sup>8</sup> tollitur B

<sup>9</sup> receptio B

### 2.4.3. Election of Johan Grünwalder is illegal because he is a schismatic

[34] But let us silence our opponents completely. Let us pierce the enemy with his own spears. Why does our adversary put so great an emphasis on the [German] Acceptation of the decrees? Maybe it would have been better to remain silent, for there are many things that invalidate Johann's election, but the Acceptation in itself annihilates, destroys, and buries it. The conciliar decree stipulates that those who are elected should be eligible.<sup>1</sup> But the princes' Acceptation [of the decrees] means that Johann is ineligible and unworthy of episcopal office. Know, all who are present, that unless I can prove what I have said, my case falls.

As said, the Acceptation declares Eugenius to be pope, and like the Phoenix there can be only one pope. Therefore, if anyone assumes the insignia of the papal office while Eugenius is alive, our nation must consider him as schismatic and idolatrous rather than as pope. Moreover, all who accept honours and offices from such one are schismatic, too. In other cases the matter may be in doubt, but in the case of cardinals there can be no uncertainty whatsoever. Therefore, as our adversary has accepted the red hat from Felix<sup>2</sup>, he must be considered as schismatic by you, Caesar, in consequence of the Acceptation of the decrees. Augustine firmly held and did not doubt that *a schismatic is outside the Church and unless he repents before the end of his life, he must burn for ever with the devil and his angels.*<sup>3</sup>

I have now shown that Johann is a schismatic. If he is a schismatic, then he is outside the communion of the Church. If he is excommunicate, then he is ineligible. If he is ineligible, then his election could evidently not be confirmed,<sup>4</sup> and consequently it is not valid. So, as you see, all you who are present, it has been proven that the Acceptation of the decrees,<sup>5</sup> which Johann uses in his own defense, is in fact extremely damaging to him. Thus it often happens that someone who seeks protection behind the sign of the Life-giving Cross, gets a finger stuck into his eyes in stead.

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<sup>1</sup> The Decree *Quemadmodum in construenda*, of 13 July 1433 (Session XII), p. 471: *Deinde eligant in praefatum praelatum virum aetatis legitimae, moribus gravem, litterarum scientia praeditum, in sacris ordinibus constitutum, at alias idoneum ... Quod si aliter et de alia persona, quam ut praedictum est, aut per simoniacam pravitatem electionem fieri contigerit, electio sit ipso jure irrita et inanis*

<sup>2</sup> I.e. the schismatic counterpope elected by the Council of Basel

<sup>3</sup> Quotation not identified

<sup>4</sup> I.e. by the metropolitan, the Archbishop of Salzburg

<sup>5</sup> It is not the acceptance of the decrees in itself, but the concomitant refusal of the Germans to accept the Council's deposition of the pope, which supports the claim that Felix and his cardinals are schismatic – since there can only be one pope

[35] Prosequor<sup>1</sup> causam. Quid si Johannes omnia decretorum receptione concilio tantum se<sup>2</sup> tueatur, Eugeniumque<sup>3</sup> summo pontificio dejectum, sicut<sup>4</sup> facit, affirmet<sup>5</sup>? Numquid silebimus theatrumque sibi tamquam Miloni aut Euthello vacuum relinquemus<sup>6</sup>? Minime certe, et quamvis haec causa coram te, Caesar, qui neutralis es, verti non debeat, partes tamen nostras tuebimur, adversariiue sagittas objectu clipei repellentes in pectus etiam ejus<sup>7</sup> tela nostra jaciemus. Non expectes a me leges<sup>8</sup> aut sacrarum testimonia scripturarum, quia nec juri civili operam umquam dedi, nec me umquam schola theologorum recepit<sup>9</sup>, quamvis admodum juvenis liberalium artium fuerim auditor. Sed loquar<sup>10</sup>, ut nos laici solemus in consilio<sup>11</sup> disputare, qui neque<sup>12</sup> syllogismis vel enthymematibus, sed, ut natura tradit, vivacibus rationibus et matura consideratione negotia nostri principis trutinamus. Dicit Johannes non esse fratrem meum episcopum, quem per depositum papam creatus est. Depositionem<sup>13</sup> vero nunc istius, nunc illius doctoris testimonio firmat. Ego novi, quid unus vel duo dicant, sed quid orbis iudicet, ut animadvertas, exposco.

[36] Respice Italiam omnium caput provinciarum. Quid sedes illa pontificum, Roma, quid regnum Siciliae, quid Veneti, quid Tusci, quid Insubres, quid Ligures, quid Umbria, quid Picenum<sup>14</sup>, quid Aemilia? Ubinam<sup>15</sup> divini atque humani juris major quam in Italia cognitio? Itali tamen non depositum Eugenium dicunt, sed illi ut patri et animarum pastori oboediunt. Transi in Galliam. Quid rex Franciae? Quid dux Burgundiae? Quid illud Parisiense gymnasium<sup>16</sup>? Quid Avinio? Quid Tolosa<sup>17</sup>? Quid Montispesulani<sup>18</sup> vel Aurelianensis universitas? Quid Lovanienses? Num omnes Eugenium venerantur, ordinationique suae tamquam summi pontificis acquiescunt? Mira res: nec Renatus ex Apulia rejectus ab Eugenio dissentit, quamvis regnum sibi ademptum sciat. Nolo singulas lustrare provincias. Tute scis, quid Hispani, quid Angli, quid Scoti, quidne singuli Christianitatis reges in hoc schismate sentiant, qui<sup>19</sup> omnium litteras nuper suscepisti te rogitantes, ut abnegaris<sup>20</sup> Basiliensibus, Eugenio dares oboedientiam.

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<sup>1</sup> prosequar B

<sup>2</sup> tantum se : se tantum B

<sup>3</sup> Eugenium quoque L

<sup>4</sup> sicuti L

<sup>5</sup> affirmat B

<sup>6</sup> relinquimus B, L

<sup>7</sup> cuius B

<sup>8</sup> vel *add.* B

<sup>9</sup> recipit L

<sup>10</sup> loquor B

<sup>11</sup> concilio B, L

<sup>12</sup> nec B

<sup>13</sup> devotionem A

<sup>14</sup> pacem B

<sup>15</sup> vbi iam L

<sup>16</sup> gignasium A

<sup>17</sup> Tholasci B

<sup>18</sup> Montispesselani B

<sup>19</sup> quid B

<sup>20</sup> abnegantes B, L

#### 2.4.4. Eugenius IV has been recognized as pope by almost all the Christian world

[35] I continue pleading my case. What if Johann does not argue on the basis of the [German] Acceptation of the [conciliar] decrees, but only defends himself with the Council, and claims, as he does, that Eugenius has been deposed from the Papacy? Shall we then be silent and leave the stage to Milo and Euthellus? Absolutely not! Though such a case ought not to be pleaded before you, Caesar, in view of your status as neutral, we shall defend our own cause, and, stopping the arrows of our adversary with our shield, we shall shoot them back and even pierce his breast with our own spears. Do not expect law paragraphs or quotations from the Holy Scriptures, for I never studied civil law, nor did I frequent a school of theology: when I was very young, I studied the liberal arts. No, I shall speak as we laypeople use to debate in your council, not with syllogisms and chains of logic, but naturally, as when we discuss the affairs of our prince with vivid reasoning and mature consideration.

Johann claims that my brother is not a bishop because he was appointed by a deposed pope. He corroborates his [claims concerning] the deposition [of the pope] with the testimonies of a couple of doctors.<sup>1</sup> I know very well what one or two men may say, but now I request that you hear what the whole world thinks.

[36] Look to Italy, the head of all regions. What about the very seat of the pontiffs, Rome? What about the Kingdom of Sicily, Venice, Tuscany, Lombardy, Liguria, Umbria, Piceno, Emilia?<sup>2</sup> Where is the knowledge of divine and human law greater than in Italy? But the Italians do not say that Eugenius has been deposed – nay, they obey him as father and pastor of their souls. Move on to France, then! What about the King of France, the Duke of Burgundy, the University of Paris, Avignon, Toulouse, the universities of Montpellier, Orleans, Louvain?<sup>3</sup> Do they not all honour Eugenius as pope and obey his decisions as Supreme Pontiff? And remarkably: even René<sup>4</sup> who has been driven out of Puglia acknowledges Eugenius though he knows that this kingdom has been taken away from him. I shall not mention all the individual lands. You yourself know very well what the Spaniards,<sup>5</sup> the English, the Scots and the other Christian kings think about this schism for you have recently received their letters asking you to reject the Basileans and declare obedience to Eugenius.

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<sup>1</sup> I.e. presumably doctors of law; if not, learned men

<sup>2</sup> The Northern Italian region corresponding to the present-day Emilia-Romagna (with Bologna)

<sup>3</sup> Piccolomini is referring to the French universities

<sup>4</sup> René d'Anjou (1409-1480): Duke of Anjou, Count of Provence (1434-80), Count of Piedmont, Duke of Bar (1430-80), Duke of Lorraine (1431-53), King of Naples (1435-42)

<sup>5</sup> Already in 1439-1440, King Juan II of Castile had addressed the emperor, both in letters and through an embassy conducted by Rodrigo Sánchez de Arévalo, urging him to recognize Eugenius as pope, cf. Trame, pp. 28-29. Scholars have discussed the year of the embassy, and Trame inclined to 1440, but if Piccolomini is implicitly referring to this embassy, it is worth noting his use of the word “nuper”

[37] In adversa parte soli Sabaudienses, quos necessitas trahit, et unicus dux Bavarorum, quem Johannes aut instruxit aut seduxit, cum concilio Feliceque<sup>1</sup> manent. Tanto itaque plus juris habet meus germanus quam Johannes, quanto major est Eugenii quam Felicis oboedientia. Nos autem Alamani neutralitatem tenemus, non quod Eugenium papam esse<sup>2</sup> diffiteamur<sup>3</sup>, sed quod hac potissimum via concordiam posse tractare putamus. Nec tamen omnes in hoc convenimus, nam Frandrenses, Brabantini<sup>4</sup>, Gelrenses, Leodienses<sup>5</sup>, Trajectenses, Hollandini<sup>6</sup>, Zelandini, {289r} Frisones Eugenio parent. Nec Latini tantum, sed etiam Graeci cum eo sentiunt, ut<sup>7</sup> qui ejus industria tenebrarum caligine posita rursus in viam reducti sunt salutarem. Quis igitur Eugenium esse depositum dicet? Nescio multum argumentari, vir uxoratus sum, et saecularium potius rerum quam ecclesiasticarum peritus. Sed mihi non videtur depositus papa judicandus, quem pauci malivolentia et invidia ducti, tota reclamante fidelium multitudine, deposuisse dicunt.

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<sup>1</sup> Felicique L

<sup>2</sup> *omit.* B

<sup>3</sup> diffitemur L

<sup>4</sup> *em.*; Barbantini codd.

<sup>5</sup> Leodinenses B

<sup>6</sup> Olandini A; Olandani B; Olandrini L

<sup>7</sup> uti B, L

[37] In the opposite camp, only the Savoyards, who can do nothing else, and one of the Dukes of Bavaria,<sup>1</sup> whom Johann either influenced or seduced, remain with the Council and with Felix. As Eugenius's obedience is much greater than Felix', the rights of my brother are much greater [than Johann's]. But we Germans stick to our Neutrality – not because we deny that Eugenius is Pope, but because we consider that this is the best way to arrive at concord between the parties. But not all [Germans] agree, for the peoples of Flanders, Brabant, Geldre, Leiden, Utrecht, Holland, Zealand, and Frisia obey Eugenius. And he is accepted not just by the Latins, but also by the Greeks, for it is through his endeavours that they were brought back from the darkness of shadows to the way of salvation.<sup>2</sup> So, who is it who claims that Eugenius is deposed? I am not capable of great argumentation, being a married man<sup>3</sup> and a specialist in secular rather than in ecclesiastical affairs. But I do not think that a pope should be considered as deposed just because a few malevolent and jealous people say so, when the whole host of believers disagrees.

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<sup>1</sup> Duke Albrecht III of Bayern-München, Mass, I, p. 307

<sup>2</sup> Having been reunited, in 1439, with the Latin Church at the Council of Ferrara-Florence

<sup>3</sup> "vir uxoratus sum": i.e. a layman

[38] Ego cum Eugenio video bonos viros, cardinalem Sancti Angeli, qui tum scientiae acumine tum vitae probitate non habet aequalem. Video cardinalem sancti Petri, specimen honestatis. Vidi, antequam moreretur, cardinalem sanctae crucis, quo nemo mundior fuit, Eugenii partes tueri. Quid plures religiosos commemorem, qui diversarum religionum<sup>1</sup> saeptis<sup>2</sup> inclusi cum Deo pure famulentur<sup>3</sup>, tum Eugenio devote oboediunt. Considero Eugenii opera: non hic thesaurum congregat, sed pauperibus elargitur. Et nunc Graecos ad fidem vocat, nunc Armenos, nunc Arabes, nunc studium habet, ut Teucrorum imperium trans Hellespontum pellatur. Nec alia ejus<sup>4</sup> cura est, quam fines Christianae reipublicae vel tueri vel propagare. Quo fit, ut nedum depositione indignus sit Eugenius, sed, si papa non esset, hic potissimum quaeri deberet, cui Romani praesulatus cathedra committeretur<sup>5</sup> ac beati Petri navicula gubernanda. Nec te, Caesar, sentire aliter<sup>6</sup> existimo, quamvis in auribus diversa tibi nonnulli susurrent, qui, si non suis commodis, sed tuae utilitati studerent, non neutralitatem servare, sed illi te oboedire pontifici commonerent, quem tota sequitur fidelium multitudo, nec te Bavaris, sed omnibus Christianis regibus dicerent conformandum.

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<sup>1</sup> religioni B

<sup>2</sup> septem B

<sup>3</sup> famulemur B

<sup>4</sup> ei B

<sup>5</sup> promitteretur B

<sup>6</sup> sentire aliter : aliter sentire B

[38] I see there are good men with Eugenius, supporting his cause: the Cardinal of Sant' Angelo,<sup>1</sup> who does not have his equal in learning and decency; the Cardinal of San Pietro<sup>2</sup>, a model of honour; and, before he died, the Cardinal of Santa Croce,<sup>3</sup> of matchless purity. I do not need to mention the many religious who, as members of various orders, both serve God with purity and follow Eugenius with devotion.<sup>4</sup>

I consider Eugenius' actions: he does not gather treasure, but gives to the poor. Now he calls the Greeks to the Faith, now the Armenians, now the Arabs,<sup>5</sup> and now he endeavours to drive the Teucric Empire<sup>6</sup> back across the Hellespont.<sup>7</sup> His only aim is to defend or extend the frontiers of the Christian Commonwealth. Therefore, not only does Eugenius not deserve to be deposed: if he was not pope already, he above all is the one who should be entrusted with the Roman See and the government of Saint Peter's ship.

And I know that you, Caesar, do not disagree, though some men whisper differently in your ears, men who ought not to put their own advantage first, but yours, and who should advise you not to maintain Neutrality, but to obey the pope, whom the whole host of believers follows, and who should tell you to do as the other Christian kings, not as the Bavarians.

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<sup>1</sup> Giuliano Cesarini (1398-144): created cardinal by Pope Martin V in 1426. Papal president of the Council of Basel until 1437. Mentor and friend of Piccolomini

<sup>2</sup> Juan Cervantes (1380/1382-1453): created cardinal by Pope Martin V in 1426. Friend of Piccolomini

<sup>3</sup> Niccolò Albergati (1373-1443): created cardinal by Pope Martin V in 1426. One-time employer, mentor and friend of Piccolomini

<sup>4</sup> E.g. Ambrogio Traversari, head of the Camaldolese order, saint

<sup>5</sup> Here the speaker refers to the reunion between the Latin and various Oriental Churches effected in connection with the papal Reunion Council in Ferrara-Florence-Rome, 1439-1445

<sup>6</sup> I.e. the Turks

<sup>7</sup> Piccolomini is referring to Pope Eugenius's endeavours to aid the Byzantines, now reunited with the Latin Church, by raising a crusade against the Turks

[39] Namque ut iterum, quid expediat, breviter attingamus: non expedit, mihi crede, Caesar, illius te pontificis mandata respuere, qui cunctos reges habet assistentes. Non desunt, qui ad imperium aspirent, doceant te majorum exempla: Alexander papa Henricum tertium imperatorem, quia sibi non paruit, excommunicationis gladio percussit, quae res nedum extraneos, sed filium proprium contra Henricum armavit ac multorum bellorum inter parentem et natum origo et causa fuit, nec umquam finiri dissidium nisi mortuo patre potuit. Nec filius postea per Calixtum excommunicatus adversitatibus caruit, qui, ut deficere sibi oboedientiam comperit, conventu principum apud<sup>1</sup> Wormaciam<sup>2</sup> facto investituras episcoporum ecclesiae Romanae restituit. Sed nimium fortasse digredior. Nostra intentio fuit Eugenii depositionem refellere, quod mihi jam factum videtur. Cum tota Christianitas paucissimis demptis illi oboediat et ab eo creatos episcopos recipiat<sup>3</sup> et veneretur, nec ulli<sup>4</sup> sunt, qui<sup>5</sup> decreta sibi objiciant, nisi nos Germani, qui Maguntiae illa suscepimus, verum, sicut est a me paulo ante dictum, non propterea manus clausae sunt Eugenio, quod Alamani decreta concilii receperunt. Plus dico: nec decreta synodorum firma sunt, nisi Romani pontificis assensus interveniat.

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<sup>1</sup> ac B

<sup>2</sup> Formaciam A

<sup>3</sup> recipit L

<sup>4</sup> ulla B

<sup>5</sup> que B

[39] To summarize what should be done: it is not expedient for you - believe me, Caesar - to disregard the decisions of that pope who has the support of all the other kings. The examples of your predecessors will show you that there is no shortage of men who want to be emperor.<sup>1</sup> Pope Alexander<sup>2</sup> struck Emperor Heinrich III.<sup>3</sup> with the sword of excommunication because the emperor disobeyed him,<sup>4</sup> something which caused his own son,<sup>5</sup> not strangers, to take up arms against him and was the cause and origin of many wars between father and son. The conflict did not end until the father died. And when later the son was excommunicated by Calixtus,<sup>6</sup> he too had great problems, and seeing that people stopped obeying him, he gathered the princes in Worms and gave back the investiture of bishops to the Roman Church.<sup>7</sup> But maybe I am digressing too far from the subject: our intention was to refute the deposition of Eugenius, and that I have already done. Whereas all Christianity with very few exceptions obeys him and accepts and honours the bishops appointed by him, and whereas nobody rejects his decrees except us Germans who in Mainz accepted those [of the Council], the hands of Eugenius - as I have said before - are not bound because the Germans have accepted the decrees of the Council. To put it more forcefully: the decrees of the synods<sup>8</sup> are only valid with the assent of the Roman Pontiff.

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<sup>1</sup> This passage could be conceived as a dire warning: If, in the worst case, the pope came to excommunicate the emperor as a schismatic because of his continued recognition of the Council of Basel, there would be no shortage of pretenders to the imperial throne, as shown by history

<sup>2</sup> Pope Alexander II (d. 1073): Pope from 1061 to his death in 1073. Succeeded by Pope Gregorius VII, the pope who first excommunicated Emperor Heinrich, in 1076

<sup>3</sup> Error for Emperor Heinrich IV (1050-1106): King of Germans from 1056, King of the Romans and Emperor from 1084 until his forced abdication in 1105, shortly before his death

<sup>4</sup> During the Investiture Controversy, Heinrich IV was excommunicated several times by the popes

<sup>5</sup> The later Heinrich V (1086-1125): from 1099 King of Germany and from 1111 Roman Emperor to his death. He rebelled against his father in 1104

<sup>6</sup> Pope Calixtus II (d. 1124): Pope from 1119 to his death

<sup>7</sup> The Concordat of Worms, 1122, whereby Heinrich V renounced the right of investiture of bishops with ring and crozier, but retained the right to invest bishops with the regalia of their office, i.e. the temporal rights and properties held from the crown, symbolized by a scepter

<sup>8</sup> I.e. the councils

[40] Ajunt enim viri prudentes nullam synodum esse ratam, quae non fuerit *apostolicae sedis auctoritate* congregata vel *fula*. Sic Isidorus Hispalensis de gestis conciliorum scribit, quem cubiti apud me habeo, quemque {289v} cum propter divisionem universalis ecclesiae, quae nunc viget, aliquando legissem. Inveni Leonem papam sanctissimum omnia gesta Chalcedonei<sup>1</sup> synodi confirmasse solaque illa infregisse<sup>2</sup>, quae per ambitionem Constantinopolitorum adversus Niceni decreta concilii fuerant acta, et sane in omnibus synodis apocrisarii papae decretas sententias propter summam auctoritatem apostolicae sedis ante alios confirmabant et sustinebant, ex qua re mihi non videntur<sup>3</sup> decreta concilii robur habere, quae praeter<sup>4</sup> consensum Romani papae sunt edita<sup>5</sup> quamvis per nationem nostram sunt acceptata. Audivique viros tum bonos tum divini humanique<sup>6</sup> juris peritissimos nullum synodale decretum esse dicentes, quod ex causa non possit summus pontifex abrogare.

[41] Cum ergo, invictissime Caesar, promotionem germanus meus ab<sup>7</sup> illa sancta sede receperit<sup>8</sup>, quae ut Lucius papa sanctissimus prior dixit, et postea beatus Jeronimus iteravit, *per Dei omnipotentis gratiam ab apostolicae traditionis<sup>9</sup> tramite numquam errasse probatur nec haereticis novitatibus depravanda succubuit*, velit tua majestas favores suos nobis impendere et non solum castra, quae in tua sunt ditone, fratri meo concedere, sed ipsum quoque, ut per Bavaros, sicut par est, admittatur, juvare et omni conatu niti, ut illi etiam provisionem suscipiant apostolicam<sup>10</sup> nec se<sup>11</sup> amplius adversus mandata summi pontificis unius inanis electionis clipeo tegant. Quia sicut in epistola beati Clementis legitur *apostolica sedes cardo et caput ut factus est a domino et non ab alio est constituta. Et sicut cardine hostium regitur, sic hujus sanctae sedis auctoritate omnes ecclesiae domino disponente<sup>12</sup> reguntur*.

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<sup>1</sup> *em.*; Calcedoneum A, L; Caladoneum B

<sup>2</sup> fregisse B

<sup>3</sup> videtur B, L

<sup>4</sup> propter B

<sup>5</sup> concilii robur ... edita *omit.* L [A and B not derived from L]

<sup>6</sup> divini humanique : humani divinique B

<sup>7</sup> sub B

<sup>8</sup> recepit B

<sup>9</sup> sedis L

<sup>10</sup> suscipiant apostolicam : apostolicam suscipiant L

<sup>11</sup> te B

<sup>12</sup> domino disponente : disponente domino L

[40] For knowledgeable men say that no synod is legitimate unless *it has been* indicted or *endowed with the authority of the Apostolic See*.<sup>1</sup> This is what Isidoro from Spain writes about the acts of the councils [in a book] that I have with me in my own bedchamber<sup>2</sup> and that I once read because of the present division in the Universal Church.<sup>3</sup> There I found that holy Pope Leo confirmed all the decrees of the Synod of Chalcedon<sup>4</sup> with the exception of those that, due to the ambitious designs of the Constantinopolitans, were enacted against the decrees of the Council of Nicaea.<sup>5</sup> Moreover, in all synods<sup>6</sup> the papal envoys<sup>7</sup> were – because of the preeminent authority of the Apostolic See – the first to sign the conciliar decrees. It is therefore evident to me that the decrees of the Council [of Basel] are only valid in so far as they have been enacted with the consent of the Roman Pontiff – even though they have been accepted by our nation. And I have heard good men, specialists in divine and human law, saying that there is no synodal decree which the pope cannot annul, for good cause.

### 3. Conclusion

[41] Unvanquished Emperor, my brother has received his appointment from that Holy See which, as first said by holy Pope Lucius<sup>8</sup> and later repeated by Saint Jerome, *is found, by the grace of God, never to have deviated from the path of apostolic tradition and never to have been misled into falling for novel heresies*.<sup>9</sup> Therefore, may Your Majesty bestow your favour on us and not only grant my brother the castles under your own jurisdiction, but also with all your might ensure that he is admitted by the Bavarians,<sup>10</sup> and that they accept his appointment by the Apostolic See, and no longer hide from the decision of the Supreme Pontiff behind the shield of an invalid election. For as may be read in the letter of Saint Clement:<sup>11</sup> *The Lord made the Apostolic See the hinge and head, and it is not dependent on anybody else. And just as the door is ruled by the hinge, thus, as the Lord has ordained it, all the churches are governed by the authority of this Holy See*.<sup>12</sup>

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<sup>1</sup> In the Roman Catholic Church itself, the claims of papal supremacy over the other churches and over the councils as well were eventually recognized. They were still hotly debated, though, in the age of conciliarism, ending with the Council of Basel

<sup>2</sup> If the text is "cubili". But "at my elbow", if the text is "cubiti". In any case: "close by me" or "at hand"

<sup>3</sup> Decretum, D.17.2

<sup>4</sup> Council of Chalcedon (451). The Council's christological decrees were accepted by Pope Leo and most of the churches. The Pope, however, did not accept its declaration that the See of Constantinople was equal in honour and authority to the See of Rome

<sup>5</sup> First Council of Nicaea (425). Convened by Emperor Constantine I to settle a number of doctrinal issues

<sup>6</sup> I.e. ecumenical councils

<sup>7</sup> "apocrisarii"

<sup>8</sup> Lucius I (ca.200–254): Pope from 253 to his death

<sup>9</sup> Decretum, C.24.1.9. (col. 969)

<sup>10</sup> I.e. into the Church of Freising and its properties situated in Bavarian territory

<sup>11</sup> Not Clemens, but Anacletus

<sup>12</sup> Decretum, D.22.2. (col. 74). Cf. Pseudo-Isidore: *Letters of Pope Anacletus*, 3, 34 (MPL, 130, col. 78): *Haec vero apostolica sedes caput et cardo, ut praefatum est, a domino ...* Used by Piccolomini in other orations, too

[42] Quam sedem non potuisse Frisingensibus<sup>1</sup> episcopum dare, quam sit ridiculum vides, cum Petro suisque successoribus non ab homine, sed ab ipso Deo fuerit dictum: *pasce oves meas; duc in altum rete; confirma fratres tuos; et quidquam ligaveris in terra<sup>2</sup> erit ligatum et<sup>3</sup> in coelo<sup>4</sup>*, et cetera hujusmodi, quae apud evangelistas leguntur. Sed jam fortasse nimium litteratus nimiumque verbosus videor, ideo tam litteris quam verbis modum facturum. Cum jam fratris mei jus tibi notissimum esse debeat, rogo te, Caesar, peto, precor, obsecro, ut adversario jam denique silentium imponas, ne amplius ipse vel alii in hac causa te stimulent, utque pro fratre meo, sicut coepisti, perseveres, nec conquiescere velis, donec eum in ecclesia Frisingensi pacificum<sup>5</sup> reddas. Quod si feceris, ut spero et ut te decet, honorem tuum custodies, nomen et famam augebis<sup>6</sup>, inclytae domui tuae commodum promovebis, majestatem imperii tueberis, subditos in oboedientia retinebis, spem bonam omnibus, qui tibi serviunt, praebebis, Eugenium<sup>7</sup> tibi conciliabis, animas ecclesiae Frisingensis ex<sup>8</sup> lupi dentibus eripies, et tamquam justitiae cultor et amator honesti susceptorumque memor officiorum ac retributor obsequiorum cunctorum hominum lignis et calamis commendabere. Nec te quispiam arguet, quod hac causa vel improvidenter<sup>9</sup> susceperis vel timide<sup>10</sup> deserueris, eritque tibi gloriae sempiternae, quod semel<sup>11</sup> incoeperis utcumque arduum perseveranti diligentia perfecisse, antecessoresque tuos Albertum et Sigismundum te fore secutum, qui usque ad ultimum vitae spiritum Eugenio semper fuerunt oboedientes.<sup>12</sup>

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<sup>1</sup> Frisingensem B

<sup>2</sup> in terra : super terram B, L

<sup>3</sup> *omit.* A, L

<sup>4</sup> coelis B

<sup>5</sup> pontificum L

<sup>6</sup> augeas B

<sup>7</sup> Eugeniumque N. L

<sup>8</sup> *omit.* B

<sup>9</sup> imprudenter B, L

<sup>10</sup> timore B

<sup>11</sup> *omit.* B.

<sup>12</sup> Amen *add.* L

[42] You see how ridiculous it is [to claim] that this See could not appoint a Bishop of Freising, when it was God himself, and not man who said to Peter and his successors: *Feed my lambs*,<sup>1</sup> *Take the net into the deep*;<sup>2</sup> *Confirm the brethren*;<sup>3</sup> and *whatsoever thou shalt bind upon earth, it shall be bound also in heaven*,<sup>4</sup> and other similar things that may be read in the gospels. But maybe I now seem too literary or verbose, so I shall put an end to letters and words.

Whereas now you know the rights of the case of my brother, I ask you, Caesar, I pray you, beg you and supplicate you to finally impose silence<sup>5</sup> on our adversary so that he and others will no longer trouble you with this matter. Do also continue to support my brother, as you began to, and do not rest before you have established him in peaceful possession of the Church of Freising. If you do that, as I hope and as befits you, you will safeguard your honour, increase your reputation and fame, promote the interests of your illustrious House, defend the majesty of the empire, keep your subjects obedient, give good hope to all who serve you, become reconciled with Eugenius, and tear the souls in the Diocese of Freising from the teeth of the wolves. You will be praised in writings<sup>6</sup> for your defense of justice, your love of honour, your observance of obligations undertaken by you, and your rewarding all services performed for you. Nobody will criticize you for having engaged in this matter imprudently nor for giving it up timidly. It will be to your eternal honour that you have with constant diligence finished your undertaking though it proved difficult, and that you have followed in the footsteps of your predecessors Albrecht and Sigismund who remained in their obedience to Eugenius until the last breath of their lives.

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<sup>1</sup> John, 21, 15-17

<sup>2</sup> Luke, 5, 4: *Launch out into the deep and let down your nets for a draught (duc in altum et laxate retia vestra in capturam)*

<sup>3</sup> Luke, 22, 32

<sup>4</sup> Matthew, 16, 19

<sup>5</sup> I.e. concerning this matter

<sup>6</sup> "lignis et calamis"